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Report of the Open-ended Working Group on the Question of Equitable Representation on and Increase in the Membership of the Security Council and Other Matters related to the Security Council

General Assembly
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Fifty-seventh Session
Supplement No. 47 (A/57/47)

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Note

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I. Introduction

1. In its resolution 48/26 of 3 December 1993, the General Assembly decided to establish an Open-ended Working Group to consider all aspects of the question of increase of the membership of the Security Council and other matters related to the Security Council (for the full text of the resolution, see annex I).

2. The Open-ended Working Group on the Question of Equitable Representation on and Increase in the Membership of the Security Council and Other Matters related to the Security Council began its deliberations in January 1994. The mandate of the Working Group was extended by the General Assembly at its forty-eighth through fifty-sixth sessions.[1] Reports on the progress of its work were submitted by the Working Group to the General Assembly at its forty-eighth through fifty-sixth sessions.[2]

3. On 23 November 1998, the General Assembly adopted resolution 53/30 with regard to one of the agenda items of the Working Group, namely, "Majority required for taking decisions on Security Council reform" (for the full text of the resolution, see annex II).

4. On 8 September 2000, heads of State and Government adopted the United Nations Millennium Declaration, by which they resolved, inter alia, "to intensify our efforts to achieve a comprehensive reform of the Security Council in all its aspects" (see General Assembly resolution 55/2, para. 30).

5. On 6 September 2002, in its decision 56/477, the General Assembly decided that the Open-ended Working Group should continue its work and submit a report to the Assembly before the end of the fifty-seventh session, including any agreed recommendations. The present report has been prepared and submitted pursuant to that decision.

6. From 14 to 16 October 2002, the General Assembly considered the question of equitable representation on and increase in the membership of the Security Council and other matters related to the Security Council (see A/57/PV.27-32).

II. Proceedings of the Working Group during the fifty-seventh session of the General Assembly

7. The President of the General Assembly, Jan Kavan (Czech Republic), served as Chairperson of the Working Group. Ambassadors Thorsteinn Ingolfsson (Iceland) and Chuchai Kasemsarn (Thailand) served as Vice-Chairpersons of the Working Group.

8. Meetings of the Working Group were chaired, when the Chairperson of the Working Group was not present, by one of the Vice-Chairpersons.

9. During the fifty-seventh session of the General Assembly, the Open-ended Working Group held five sessions, as follows: first session, 29 January 2003; second session, 10, 12 and 13 February 2003; third session, 18, 20 and 21 March 2003; fourth session, 5 to 8 May 2003; and fifth session, 2 to 20 June 2003. A total of 15 meetings were held during the five sessions, during which delegations made oral as well as written proposals related to the issues discussed. Reference was made to proposals and/or position papers submitted during previous sessions and annexed to

previous reports of the Working Group. Letters were addressed to the President of the General Assembly during the current session and were circulated as requested. All proposals remain on the table. The Working Group affirmed that the work of the General Assembly on Security Council reform should be conducted in conformity with the relevant Assembly resolutions, fully respecting the need for transparency and open-endedness.

A. First session of the Working Group

10. At its first session, on 29 January 2003, the Working Group adopted its programme of work (see annex III).

11. The Working Group agreed that it should, in the light of its discussions in preceding years, in particular its discussions in 2002, continue: (a) its consideration of cluster I issues, namely, issues arising under the second item (Decision-making in the Security Council, including the veto), the third item (Expansion of the Security Council) and the fourth item (Periodic review of the enlarged Security Council) of its programme of work; and (b) its consideration of cluster II issues, namely, issues arising under the first item (Working methods of the Security Council and transparency of its work) of its programme of work.

12. The Working Group agreed that cluster I and cluster II issues should continue to be considered by the Working Group in tandem, meaning that the Working Group should, in terms of time and emphasis, consider cluster I and cluster II issues in a similar and balanced manner.

B. Second session of the Working Group

13. At its second session, held on 10, 12 and 13 February 2003, the Working Group began its consideration at the current session of the General Assembly of cluster I and cluster II issues.

14. The Working Group's consideration of cluster I issues proceeded on the basis of annex IV to the report of the Working Group to the General Assembly at its fifty-sixth session.[3]

15. The Working Group's consideration of cluster II issues proceeded on the basis of annex V to the report of the Working Group to the General Assembly at its fifty-sixth session.[3]

C. Third session of the Working Group

16. At its third session, held on 18, 20 and 21 March 2003, the Working Group continued its consideration of cluster I and cluster II issues.

17. The Working Group's consideration of cluster I issues proceeded on the basis of annex IV to the report of the Working Group to the General Assembly at its fifty-sixth session.[3] Italy submitted a written proposal regarding decision-making procedures in an enlarged Security Council. Japan submitted a written proposal concerning the same issue. Both proposals are included in the document contained in annex IV to the present report.

18. The Working Group's consideration of cluster II issues proceeded on the basis of annex V to the report of the Working Group to the General Assembly at its fifty-sixth session.[3]

19. On 18 March 2003, in response to an invitation from the Working Group, the President of the Security Council, Ambassador Mamady Traoré (Guinea), and two additional members of the Council, Ambassadors Jeremy Greenstock (United Kingdom of Great Britain and Northern Ireland) and Adolfo Aguilar Zinser (Mexico), discussed with the Working Group steps taken by the Security Council with a view to ensuring greater openness and transparency in its procedures and working methods.

D. Fourth session of the Working Group

20. At its fourth session, from 5 to 8 May 2003, the Working Group continued its consideration of cluster I and cluster II issues.

21. With reference to cluster I issues, the Working Group received a conference room paper by the Bureau of the Working Group based on last year's working document on cluster I issues, which reflected the deliberations of the Working Group at its February and March 2003 sessions (A/AC.247/2003/CRP.2). The Working Group decided to take the approach to delete all proposals for which no delegation was claiming authorship or that were no longer supported by any member of the Working Group.

22. With reference to cluster II issues, the Working Group received a conference room paper by the Bureau of the Working Group (A/AC.247/2003/CRP.3) based on last year's working document on cluster II issues, which similarly reflected the deliberations of the Working Group at its February and March 2003 sessions. The Working Group decided to take the approach to delete all proposals and suggested amendments for which no delegation was claiming authorship or that were no longer supported by any member of the Working Group.

23. The President of the General Assembly briefed members on the results of a questionnaire formulated in his personal capacity concerning the work and working methods of the Working Group, which he had distributed informally to all members prior to the session. Subsequently, the Working Group had a discussion related to the questionnaire.

E. Fifth session of the Working Group

24. The Working Group held its fifth session from 2 to 20 June 2003.

25. The Open-ended Working Group considered and, on 20 June 2003, adopted the present report to the General Assembly. Revised versions of the conference room papers mentioned in paragraphs 21 and 22 above, reflecting the deliberations of the Working Group at the May 2003 session, are contained respectively in annexes IV and V to the present report.

III. Recommendations

26. At its 15th meeting, on 20 June 2003, the Open-ended Working Group concluded its work for the current session of the General Assembly. It decided to recommend that consideration of this item be continued at the fifty-eighth session of the Assembly, building upon the work done during previous sessions and with a view to facilitating the process of reaching general agreement. To that end, the Working Group recommends to the General Assembly the adoption of the following draft decision:

"The General Assembly, recalling its previous resolutions and decisions relevant to, and having considered the report of the Open-ended Working Group on the Question of Equitable Representation on and Increase in the Membership of the Security Council and Other Matters related to the Security Council, established pursuant to its resolution 48/26 of 3 December 1993, and mindful of the United Nations Millennium Declaration of 8 September 2000 adopted by heads of State and Government,[4] in which they resolved, inter alia, to intensify their efforts to achieve a comprehensive reform of the Security Council in all its aspects:

(a) Takes note of the report of the Working Group on its work during the fifty-seventh session of the General Assembly;

(b) Welcomes the progress so far achieved in the consideration of the issues dealing with the working methods of the Security Council as provisional agreement has been recorded on a large number of issues, but, noting that substantial differences of view remain on other issues, urges the Open-ended Working Group to continue exerting efforts during the fifty-eighth session to achieve progress in the consideration of all aspects of the Question of Equitable Representation on and Increase in the Membership of the Security Council and Other Matters related to the Security Council;

(c) Decides that the Question of Equitable Representation on and Increase in the Membership of the Security Council and Other Matters related to the Security Council should be considered during the fifty-eighth session of the General Assembly, and further decides that the Working Group should continue its work, taking into account the progress achieved during the forty-eighth through fifty-seventh sessions, as well as the views to be expressed during the fifty-eighth session of the Assembly, and submit a report to the Assembly before the end of the fifty-eighth session, including any agreed recommendations."

Notes

[1] See General Assembly decisions 48/498, 49/499, 50/489, 51/476, 52/490, 53/487, 54/488, 55/503 and 56/477.

[2] See *Official Records of the General Assembly, Forty-eighth Session, Supplement No. 47* (A/48/47); ibid., *Forty-ninth Session, Supplement No. 47* (A/49/47); ibid., *Fiftieth Session, Supplement No. 47* (A/50/47/Rev.1); ibid., *Fifty-first Session, Supplement No. 47* and corrigendum (A/51/47 and Corr.1); ibid., *Fifty-second Session, Supplement No. 47* (A/52/47); ibid., *Fifty-third Session, Supplement No. 47* (A/53/47); ibid., *Fifty-fourth Session, Supplement No. 47* (A/54/47); ibid., *Fifty-fifth Session, Supplement No. 47* (A/55/47); and ibid., *Fifty-sixth Session, Supplement No. 47* (A/56/47).

[3] Ibid., *Fifty-sixth Session, Supplement No. 47* (A/56/47).

[4] General Assembly resolution 55/2.

Annex I

General Assembly resolution 48/26 of 3 December 1993

Question of equitable representation on and increase in the membership of the Security Council

The General Assembly,

Recalling its resolution 47/62 of 11 December 1992,

Noting with appreciation the report of the Secretary-General, which reflected the views of a number of Member States on the agenda item entitled "Question of equitable representation on and increase in the membership of the Security Council",

Recalling also the relevant provisions of the Charter of the United Nations, especially Article 23,

Recalling further that the Members confer on the Security Council primary responsibility for the maintenance of international peace and security and agree that in carrying out its duties under this responsibility the Security Council acts on their behalf,

Recognizing the need to review the membership of the Security Council and related matters in view of the substantial increase in the membership of the United Nations, especially of developing countries, as well as the changes in international relations,

Bearing in mind the need to continue to enhance the efficiency of the Security Council,

Reaffirming the principle of the sovereign equality of all Members of the United Nations,

Acting in accordance with the purposes and principles of the Charter,

Mindful of the importance of reaching general agreement,

1. *Decides* to establish an Open-ended Working Group to consider all aspects of the question of increase in the membership of the Security Council, and other matters related to the Security Council;

2. *Requests* the Open-ended Working Group to submit a report on the progress of its work to the General Assembly before the end of its forty-eighth session;

3. *Decides* to include in the provisional agenda of its forty-ninth session an item entitled "Question of equitable representation on and increase in the membership of the Security Council and related matters".

Annex II

General Assembly resolution 53/30 of 23 November 1998

Question of equitable representation on and increase in the membership of the Security Council and related matters

The General Assembly,

Mindful of Chapter XVIII of the Charter of the United Nations and of the importance of reaching general agreement as referred to in resolution 48/26 of 3 December 1993, *determines* not to adopt any resolution or decision on the question of equitable representation on and increase in the membership of the Security Council and related matters, without the affirmative vote of at least two thirds of the Members of the General Assembly.

Annex III

Programme of work of the Working Group during the fifty-seventh session of the General Assembly*

1. Working methods of the Security Council and transparency of its work.
2. Decision-making in the Security Council, including the veto.
3. Expansion of the Security Council:
   (a) Total size of the enlarged Security Council;
   (b) Increase in the permanent membership (including issues of extension of the veto to the new permanent membership and permanent regional representation);
   (c) Increase in the non-permanent membership (including the possibility of an increase, for the time being, only in this category of membership)
4. Periodic review of the enlarged Security Council.
5. Other matters.
6. Report of the Open-ended Working Group to the General Assembly.

* Previously issued as document A/AC.247/2003/CRP.1.

Annex IV

Conference room paper submitted by the Bureau of the Working Group on the principal elements of proposals concerning (a) decision-making in the Security Council, including the veto, (b) expansion of the Security Council, and (c) the periodic review of an enlarged Security Council*

I. Introduction

The present conference room paper is a revised version of the conference room paper published as annex IV to the report of the Open-ended Working Group to the General Assembly at its fifty-sixth session (A/56/47). The paper seeks to identify principal elements of the proposals contained in sections I, II and III of annex XI to the report of the Open-ended Working Group to the General Assembly at its fifty-fourth session (A/54/47) and incorporates subsequent proposals made by members of the Working Group.

II. Principal elements of proposals made with reference to "Decision-making in the Security Council, including the veto"

A. The veto as a voting instrument in the Council

1. Proposals not necessarily requiring Charter amendment

(a) Proposals to leave the veto in its present form

The veto in its present form should be maintained.

(b) Proposals to preclude use of the veto or to curtail use of the veto

(1) Permanent members of the Council should exercise restraint in resorting to the veto.

(2) Every endeavour should be made to arrive at consensus decisions in the Council so that the veto need not be used.

(3) A veto should only be exercised when the question is of vital importance to the United Nations as a whole.

(4) If a veto is used, a written explanation of the reason for the veto should be given and also provided to the General Assembly.

(5) Permanent members should commit themselves not to use the veto except for matters under Chapter VII of the Charter.

(6) The General Assembly should urge permanent members not to use the veto except for matters under Chapter VII of the Charter.

* Previously issued as document A/AC.247/2003/CRP.2.

(7) What constitutes "procedural" matters, in terms of Article 27, paragraph 2, of the Charter, should be established by an updating of the annex to General Assembly resolution 267 (III) and should be applied by the Council.

(8) Permanent members of the Council should make unilateral or collective commitments not to use the veto.

2. Proposals requiring Charter amendment

(a) Proposals to eliminate the veto

The veto should be eliminated.

(b) Proposals to curtail the veto

(1) Article 27 of the Charter should define more clearly where a veto is permissible.

(2) The veto should be initially curtailed with a view to eventual elimination.

(3) Limitation of the veto to actions under Chapter VII of the Charter — relevant Articles of the Charter to be appropriately amended.

(4) More than one negative vote (of permanent members) to be required for exercise of a veto.

(5) Exercise of a veto to be subject to General Assembly action.

B. Number of affirmative votes required for decisions in an enlarged Council

(1) The number of affirmative votes required for decisions in the Council should remain, as at present, around 60 per cent.

(2) If 60 per cent of affirmative votes is required for decision, then the number of votes required in an enlarged Security Council would be as follows:

In a Council of 20, it would be 12;

In a Council of 21, it would be 13;

In a Council of 24, it would be 14;

In a Council of 25, it would be 15;

In a Council of 26, it would be 16.

(3) The relative number of non-permanent-member votes required for decisions in an enlarged Security Council should be increased.

(4) In considering the issue of number of affirmative votes required for a decision in an enlarged Council, there should be no distinction between the votes of permanent members and those of non-permanent members.

III. Principal elements of proposals made with reference to "Expansion of the Security Council"

A. Proposals of a general nature

1. Proposals for enlargement of Council in permanent and non-permanent membership

(1) Enlargement of the Council should enable inclusion of both new permanent members and new non-permanent members from developed/industrialized and developing countries.

(2) The concepts "industrialized countries", "developed countries" and "developing countries" should be clearly defined.

(3) Enlargement in permanent and non-permanent membership should be considered together.

(4) The current ratio of permanent and non-permanent seats should not be altered to the detriment of the non-permanent seats.

(5) A reasonable balance between the number of permanent and non-permanent seats should be maintained and would enhance the representativity and equitable geographical distribution of the Council.

2. Proposals for enlargement of Council in non-permanent membership only, for the time being

If there is no agreement on enlargement of other categories of membership, there should only be, for the time being, enlargement of the non-permanent membership.

3. Proposals for enlargement of Council in non-permanent membership only

(1) There should be enlargement only in non-permanent membership.

(2) An enlarged Council should only include additional non-permanent members based on the principle of sovereign equality of States, and equitable geographical distribution.

B. Proposals of specific numbers for enlargement of Council

1. Specific numbers proposed

The enlarged Council should consist of:

20 members

21 members

22 members

23 members

24 members

25 members

26 members

30 members

2. Range of numbers proposed

The enlarged Council should consist of:

From 15 to 24 members

From 24 to 26 members

No more than 25 members

At least 26 members

C. Increase in the permanent membership of the Council

1. Proposals for permanent seats for: a particular region, a particular group of States or particular countries

(1) Africa should be allocated no less than two permanent seats according to decisions of the Group of African States.

(2) A permanent seat should be allocated for the Group of Arab States, the seat to rotate among Arab States in accordance with the practice of the League of Arab States.

(3) One permanent seat should be allocated for the European Union.

(4) There should be two new permanent seats created for Germany and Japan as industrialized States.

2. Proposals for enlargement of permanent membership of the Council

(1) Five additional permanent seats: designated by two-thirds majority vote in the General Assembly — preferably on a regional basis, taking account of equitable geographical distribution and capacity to contribute to peacekeeping operations.

(2) Five additional permanent seats:

- One to developing States of Africa;
- One to developing States of Asia;
- One to developing States of Latin America and the Caribbean;
- Two to industrialized States.

(3) Each developing region to be allocated two (regional) seats. Regional mechanism to determine allocation of seats within region.

As regards permanent regional representation, it is not precluded that a region may determine its own selection, prior to election by the General Assembly.

(4) One additional permanent seat to five regional groups (except Western European and other) — present five permanent members unchanged. Two additional financial permanent members.

(5) Each of five regional groups would have two permanent seats — present five permanent members (except United States) to be included in their regional groups. Three additional financial permanent members (including United States).

D. Extension of the veto to new permanent members

1. Question whether the veto should be extended

(1) New permanent members should have the same prerogative and powers as current permanent members.

(2) The veto should not be extended to new permanent members.

(3) New permanent members should:

(a) Indicate willingness to be permanent members without the veto;

(b) Agree not to exercise the veto until a periodic review of the enlarged Security Council has taken place.

2. When should question of extension of the veto to new permanent members be considered?

(1) Extension of the veto to new permanent members should be considered at the end of agreement on the reform package.

(2) Extension of the veto to new permanent members should be considered only in the context of curtailment of veto use by the current permanent members.

(3) A decision on the extension of the veto to new permanent members should be taken once they have been elected.

(4) A high-level Working Group should consider the question of the extension of the veto to new permanent members. During the interim period, new permanent members will not individually exercise the veto and the concurring vote of a specified number (e.g. four out of five) will be required for Security Council decision on matters not procedural under Chapter VII of the Charter.

E. Increase in non-permanent membership

1. Reference in proposals to general criteria for enlargement of non-permanent membership

(1) Increase in non-permanent membership should take into account candidates from developing countries and industrialized States.

(2) When additional non-permanent seats are distributed, no national or regional group should be discriminated against.

(3) Every regional group should be allocated at least one additional non-permanent seat in the enlarged Council.

(4) Retiring non-permanent members of the Council should be eligible for immediate re-election.

2. Allocation of non-permanent seats among regions

(1) Every regional group should be allocated at least one additional non-permanent seat.

(2) There should be an increase in both permanent and non-permanent categories. There should be four additional non-permanent seats as follows:

One for Africa;

One for Asia;

One for Latin America and the Caribbean;

One for Eastern Europe.

(3) Four new non-permanent members should be elected as follows:

One for Africa;

One for Asia;

One for Eastern Europe;

One for Latin America and the Caribbean.

3. Allocation of non-permanent seats to one particular region or to one group of States

- There should be five non-permanent seats for Africa.
- There should be one additional seat for Eastern Europe.
- There should be two non-permanent seats for the Group of Arab States.

4. Some States to participate more frequently as non-permanent members

(1) There should be five additional (long-term, 6 to 12 years) non-permanent seats to be chosen by the General Assembly, with retiring members eligible for re-election.

The other 10 non-permanent seats would continue as at present.

(2) If two additional seats for permanent members are created, the number of non-permanent members should be increased by eight as follows:

Two seats for Africa;

Two seats for Asia;

Two seats for Latin America and the Caribbean;

One seat for Western Europe and other;

One seat for Eastern Europe.

If there are eight new non-permanent seats (additional to the present 10 non-permanent seats), each seat could "rotate" among three or four States, enabling (24 to 32) countries that make a substantial contribution to peacekeeping activities and United Nations financing and represent the majority of the world's population to assume greater responsibility in implementing the Charter.

(3) Ten new non-permanent seats should be added. For each of those seats, three States would be rotating, making a total of 30 States. Consequently, each of them would remain two years on, and four consecutive years off, the Council. Those 30 States, which therefore would rotate more frequently and regularly than others, should be selected on the basis of objective criteria to be determined by the General Assembly.

(4) The number of non-permanent members should be increased from 10 to 15. The additional five non-permanent members could have a long term (from 6 to 12 years, for example) and be chosen by the General Assembly by a simple majority. Retiring members would be eligible for immediate re-election. The other 10 non-permanent members would continue to be elected by the General Assembly for a period of two years. They would not be eligible for immediate re-election at the end of their terms.

(5) States with strength and influence in international relations and the capacity and the will to make a significant contribution to the purposes of the United Nations should participate more frequently in the Council.

IV. Principal elements of proposals made concerning the periodic review of an enlarged Security Council

A. Scope and necessity for periodic review

1. A periodic review of the structure and functioning of the Security Council is necessary.

2. If there are no additional permanent members, a review would not be necessary.

3. Issues within the mandate of the Open-ended Working Group should be subject to periodic review every 10 to 15 years.

4. The review process should take into account all aspects of reform: status of new permanent members, question of the veto, accountability and representation of regions in the Security Council.

5. The review should not cover the original five permanent members.

B. Timing of review

1. A review should take place every 10 to 15 years.

2. The first review should take place 10 to 20 years after the current reform exercise and thereafter every 10 to 12 or 15 to 20 years.

3. The review should be automatically included in the agenda of the General Assembly and concluded within two years.

C. Decision-making in the course of a review

1. The review should not be subject to the veto.

2. The continuance of new permanent members would be dependent on the support of a two-thirds majority of the United Nations membership.

3. New permanent members should continue unless otherwise decided by a two-thirds majority of the United Nations membership.

Annex V

Revised conference room paper submitted by the Bureau of the Working Group on the working methods of the Security Council and transparency of its work*

I. Introduction

In this revised version of the conference room paper published as annex V to document A/56/47 on the working methods of the Security Council and transparency of its work, paragraphs and subparagraphs which have been provisionally agreed in the Working Group are indicated by bold typeface. For paragraphs on which there is not yet provisional agreement, amendments and suggestions presented in the discussion in the Working Group, as recorded by the Bureau, have also been listed; there were also proposals to delete some of these paragraphs. Further proposals to that effect may be made in the future.

Furthermore, the Bureau has decided to add, at the end of the conference room paper, the descriptive index to notes and statements by the President of the Security Council relating to documentation and procedure issued as an annex to the letter dated 6 September 2002 from the President of the Security Council addressed to the Secretary-General, published as document A/57/382-S/2002/1000. The full text of subsequent relevant notes and statements has also been added. Members may also wish to refer to the full text of relevant documents contained in annexes to the last two years' reports of the Working Group (A/55/47, annex XVII, and A/56/47, annex V). The Bureau hopes that the inclusion of these references and excerpts may inform delegations of relevant past practice in this area and facilitate constructive discussion within the Working Group.

II. Relationship between the Security Council, the General Assembly and the general membership of the United Nations

A. Meetings of the Security Council and informal consultations of the whole**

1. Suggested improvements to the present practice:

(a) The Security Council should, as a general rule, meet in a public format open to all Member States of the United Nations;

(b) Exceptionally, the Security Council may decide to meet in private;

(c) When special circumstances so require, the members of the Security Council may meet for informal consultations of the whole;

* Previously issued as document A/AC.247/2003/CRP.3.

** This title to be reviewed at the stage of institutionalization.

Suggested amendments to subparagraph (c) in favour of reference to "informal consultations of the whole"

(1) Revise the subparagraph to read: "When the members of the Security Council agree that special circumstances so require, they may meet for informal consultations of the whole."

(2) Revise the subparagraph to read: "When the Security Council agrees that special circumstances so require, [its members]/[it] may meet for informal consultations of the whole."

(3) Revise the subparagraph to read: "When members of the Security Council determine that circumstances so require, they may meet for informal consultations of the whole."

(4) Delete the word "special".

(5) Revise the subparagraph to read: "Members of the Security Council may meet for informal consultations of the whole for the exclusive purpose of drafting its decisions or hearing briefings on exceptionally delicate situations."

(6) Revise the subparagraph so that it reads: "Members of the Security Council may meet for informal consultations of the whole for the exclusive purpose of drafting its decisions or hearing briefings on exceptionally delicate situations when members of the Security Council determine that circumstances so require."

Suggested amendments to subparagraph (c) opposing reference to "informal consultations of the whole"

(7) Delete the entire subparagraph.

(8) Insert the words "closed meetings" in place of the words "informal consultations".

(d) Rule 48 of the Security Council's provisional rules of procedure should be adhered to in letter and spirit;

(e) The Security Council should, in a timely fashion and whenever appropriate, hold substantive orientation debates open to all Member States on matters under its consideration;

(f) The Security Council should, whenever appropriate, meet at the ministerial level;

(g) When the Secretary-General, his/her special representatives and/or special envoys, and the heads or representatives of United Nations bodies, agencies or field missions report to the Security Council, they should do so, as a general rule, in a public format;

(h) The Secretary-General, his/her special representatives and/or special envoys, and the heads or representatives of the United Nations bodies, agencies or field missions may report to the Security Council in private.

2. Institutionalization:

Incorporate provisions to this effect into the rules of procedure of the Security Council or, as appropriate, statements by the President of the Council.

B. Participation of non-members in meetings of the Security Council and informal consultations of the whole

The active participation of non-members in the substantive discussions of the Security Council is an important step towards making the work of the Council more open, effective, transparent and representative.

3. Suggested improvements to the present practice:

(a) The Security Council should continue to hear the views of non-members of the Council, particularly those affected by the issues under consideration, in public meetings at the beginning of its consideration of a substantive matter;

Suggested amendment to subparagraph (a)

(1) Delete the entire subparagraph.

(b) When a non-member of the Security Council submits a written request for a meeting with the President of the Council to discuss an urgent matter affecting its interests, the President should acknowledge such a request in writing. Upon receipt of such a request, the President should promptly meet the non-member in question and inform the Council about the démarche;

(c) The Security Council should fully implement Articles 31 and 32 of the Charter and rules 37 and 38 as well as all other relevant Provisional Rules of Procedure;

(d) Non-members of the Security Council whose interests are specially affected and who are willing to participate in a private meeting should indicate in writing to the President of the Security Council their desire to do so. The President of the Security Council should respond to such requests, and if the response is negative, the response should be in writing;

(e) The Security Council should, if requested by countries affected by the decisions of the Council, conduct consultations with those countries;

Suggested amendment to subparagraph (e)

(1) Delete the entire subparagraph.

(2) The subparagraph should be revised to begin with the words: "The President of the Security Council should ..."

(f) The members of the Security Council should, as appropriate, invite non-members of the Council to participate in their discussions during informal consultations of the whole on matters directly affecting such members, under similar arrangements as stipulated in Articles 31 and 32 of the Charter.

Suggested amendments to subparagraph (f)

(1) Delete the entire subparagraph.

(2) Delete the words "as appropriate".

(3) Revise the subparagraph to read: "The non-members of the Security Council should be invited to participate in Council discussions during informal consultations of the whole on matters directly affecting them, under similar arrangements as stipulated in Articles 31 and 32 of the Charter."

4. Institutionalization:

Incorporate provisions to this effect into the rules of procedure of the Security Council or, as appropriate, statements by the President of the Council.

C. Programme of work of the Security Council and agenda of its meetings and informal consultations of the whole

5. Suggested improvements to the present practice:

(a) The Security Council's tentative forecast of its programme of work for the coming month should be made available to all Member States as soon as it is available to members of the Council;

(b) The calendar setting out the Security Council's provisional monthly schedule of work, and updated versions thereof, should be made available to all Member States as soon as possible after their consideration by the members of the Council;

(c) The Council should consider its monthly programme of work at a public meeting;

Suggested amendments to subparagraph (c)

(1) Insert the words "the calendar setting out the Security Council's provisional monthly schedule of work" in place of the words "its monthly programme of work".

(2) Insert the words "at public meetings" in place of the words "at a public meeting".

(3) Subparagraph (c) should be deleted.

(4) Subparagraph (c) should be revised to read: "At the beginning of each month, the Council should consider its monthly programme of work at a public meeting."

(5) Subparagraph (c) should be revised to read: "The Council should conduct its initial consideration of its monthly programme of work at a public meeting."

(d) The provisional agenda of the Security Council, with indications as to actions expected of the Council (e.g., decisions on draft resolutions and presidential statements, reports, exchanges of views, etc.) and the agenda for informal consultations of the whole, including a list of issues to be discussed under "other matters", whenever they are known in advance, should be included in the *Journal of the United Nations*.

6. Institutionalization:

Incorporate provisions to this effect into the rules of procedure of the Security Council or, as appropriate, statements by the President of the Council.

D. Briefings by the President of the Security Council to non-members, availability of draft resolutions and summaries of meetings and informal consultations of the whole

7. Suggested improvements to the present practice:

(a) The present practice followed by the Presidency of the Security Council of briefing non-members should be continued. Briefings should be detailed and take place directly following informal consultations of the whole and Council meetings not open to all Member States. Interpretation should be provided for those briefings. Briefings for non-members should be closed and held no later than briefings for the media. The President of the Council will decide whether written records of such briefings, including the elements of statements made by him/her to the press, should also be distributed. If written records of the briefings are to be provided, they should also be transmitted to the permanent missions to the United Nations through electronic mail;

Suggested amendment to subparagraph (a) (third sentence)

Delete the third sentence.

Suggested amendments to subparagraph (a) (fourth sentence)

(1) In the fourth sentence, insert the words "in parallel with" in place of the words "no later than".

(2) In the fourth sentence, insert the words "statements to the media" in place of the words "briefings for the media".

(3) Revise the fourth sentence to read: "Briefings for non-members should be closed and held before briefings for the media."

(4) Delete the fourth sentence.

Suggested amendments to subparagraph (a) (fifth and sixth sentences)

(1) In the final sentence, insert the words "made available" in place of the word "transmitted".

(2) Delete the last two sentences of the subparagraph.

(3) Delete the fifth and sixth sentences.

(4) Retain the fifth sentence, but delete the sixth sentence.

(5) Revise the sixth sentence to read:

"If written records of the briefings are to be provided, they should be made available through any appropriate means."

(b) A short factual summary of the Council's informal consultations of the whole, prepared by the Secretariat in consultation with the President, should be circulated to all Member States no later than the day after. The summaries should also be transmitted to permanent missions through electronic mail;

Suggested amendments to subparagraph (b)

(1) Delete the entire subparagraph.

(2) Insert the words "a short summary of major points of discussion" in place of the words "a short factual summary".

(3) Redraft the subparagraph to take into consideration the need for confidentiality.

(4) In the second sentence, insert the words "normal channels, including" before the words "electronic means".

(5) Include the following as a new third sentence:

"The summaries should not identify the positions of Security Council members, but should include major points of discussion."

(c) Draft resolutions and draft presidential statements, as well as other draft documents that are tabled at informal consultations of the whole of the Council for action on its agenda items, should be made available by the President of the Security Council also to non-members of the Council as soon as such documents are tabled; or earlier, if so authorized by the author of the draft;

(d) The President, in briefing non-members of the Council, should provide information about the main elements and any new elements of draft resolutions, presidential statements and other documents under consideration by the Council.

8. Institutionalization:

Incorporate provisions to this effect into the rules of procedure of the Security Council or, as appropriate, statements by the President of the Council.

E. Meetings with troop-contributing countries and other countries contributing to a peacekeeping operation

9. Suggested improvements to the present practice:

(a) While authorizing force, the Security Council should adhere to the provisions of Articles 43 and 44 of the Charter of the United Nations;

Suggested amendments to subparagraph (a)

(1) Delete the entire subparagraph.

(2) Add this sentence at the end of subparagraph (b) below.

Note: The placement of this subparagraph will be considered later.

(b) Meetings between members of the Security Council and countries which contribute troops and civilian police, both current and prospective, should be held on a regular basis before and during the decision-making process on the establishment, conduct, review and termination of a peacekeeping operation, including the extension and change of mandates, as well as specific operational issues. In case of emergencies, such meetings should be held promptly;

(c) Other countries contributing to a peacekeeping operation should be invited, as appropriate, to these meetings;

(d) Countries directly concerned and/or affected by a peacekeeping operation should also, in specific circumstances and where appropriate, be invited to these meetings;

(e) Meetings with troop-contributing countries and other countries contributing to a peacekeeping operation should be convened and chaired by the President of the Security Council, supported by the Secretariat;

(f) The President of the Council should convene meetings with troop-contributing countries in a timely manner, including at their request;

(g) The President of the Security Council should make the necessary arrangements to ensure that the meetings with troop-contributing countries and other countries contributing to a peacekeeping operation are held at a time that allows those countries to adequately consider the relevant reports of the Secretary-General. The Secretariat should make these reports available at an appropriate time before such meetings;

(h) Meetings should be announced in the *Journal of the United Nations*;

(i) Immediately following meetings between Security Council members, troop-contributing countries, other contributors and the Secretariat, the President should brief interested non-members of the Security Council on the contents of such meetings. Such briefings should be announced in the *Journal of the United Nations*;

(j) A written summary of meetings with troop-contributing countries, prepared by the Secretariat in consultation with the President of the Security Council, which does not compromise the confidentiality of the work of those meetings, should be made available promptly to all Member States. Written copies of the Secretariat's briefings at those meetings should, whenever possible, be made available to troop-contributing countries upon request;

(k) The President of the Security Council should report to the Council the views expressed by participants at troop-contributors' meetings. The Council should fully take into account these views in its deliberations;

(l) The Secretariat should make available, to all Member States, weekly reports on field operations, which are available to members of the Security Council.

10. Institutionalization:

Incorporate provisions to this effect into the rules of procedure of the Security Council or, as appropriate, statements by the President of the Council.

F. Reports of the Security Council to the General Assembly

11. Suggested improvements to the present practice:

(a) The annual report of the Security Council to the General Assembly, submitted pursuant to Article 24 (3) of the Charter, should give a detailed and comprehensive account of the Council's work and should be made available to the General Assembly no later than 30 August;

Suggested amendments to subparagraph (a)

(1) Insert the word "factual" in place of the words "detailed and comprehensive".

(2) Insert the word "factual" between the word "comprehensive" and the word "account".

(3) Insert the word ", objective" between the word "detailed" and the words "and comprehensive".

(4) Insert the words "substantive, analytical and material" in place of the words "detailed and comprehensive".

(5) Insert the words "substantive and analytical" in place of the words "detailed and comprehensive".

(6) Insert the words "if possible" after the words "made available to the General Assembly".

(7) Insert the words "before the beginning of the general debate" in place of the words "no later than 30 August".

(b) Upon the completion of his/her Presidency, each President of the Security Council should provide a substantive and analytical assessment of the work of the Council, including, as appropriate, informal consultations of the whole, held during his/her Presidency. These assessments, prepared under the exclusive responsibility of the President following consultations with Council members, should be balanced, comprehensive and objective and distributed as official documents to all Member States immediately after their issuance by the outgoing President. They should also be appended to the annual report of the Council to the General Assembly;

Suggested amendments to subparagraph (b)

(1) In the first sentence, delete the words "including, as appropriate, informal consultations of the whole, held".

(2) Delete in the second sentence the words "balanced, comprehensive and objective and".

(3) The existing practice (set out in document S/1997/451) should be retained.

(4) Insert the following sentence immediately before the last sentence of the subparagraph: "Such assessments should include statements that the President of the Security Council makes to the press on behalf of the members of the Council."

(5) Add in the beginning of the subparagraph the words "As is the present practice".

(6) Subparagraph (b) should be revised to read:

"As is the present practice, upon the completion of his/her Presidency each President of the Security Council should provide an assessment of the work of the Council including, as appropriate, informal consultations of the whole, held during his/her Presidency. These assessments should be prepared under the exclusive responsibility of the President following consultations with Council members, and should be distributed as official documents to Member States immediately after their issuance by the outgoing President. Such assessments should include copies of statements that the President of the Security Council makes to the press on behalf of the members of the Council as appropriate. They should also be appended to the annual report of the Council to the General Assembly."

(7) Include the following paragraph immediately after subparagraph (b):

"The Security Council should, on the last working day of the month, include in its agenda provision for an oral assessment to be made by the President, at a public meeting, of the work accomplished during his Presidency."

(c) The annual report of the Security Council should also include information on the informal consultations of the whole;

Suggested amendments to subparagraph (c)

(1) Add the following words at the end of the sentence: "and statements that the President of the Security Council makes to the press on behalf of the members of the Council".

(2) Add the following words at the end of the sentence: "and statements that the President of the Security Council makes to the press with the prior authorization of the Security Council".

(3) Delete subparagraph (c) and the suggested amendments.

(4) Delete the suggested amendments to subparagraph (c), but retain subparagraph (c).

(5) Retain subparagraph (c) until the question of how "informal consultations" are to be handled in the entire document is resolved.

(d) The Security Council should include in its annual report information on requests received under Article 50 of the Charter and actions taken by the Council thereon;

(e) The annual report should enable Member States to assess the extent to which General Assembly and Security Council resolutions have been taken into account by the Council in its decision-making process on issues falling within the scope of the General Assembly and of the Security Council;

Suggested amendments to subparagraph (e)

(1) Replace the subparagraph with the following sentence: "The annual report should enable Member States to assess the extent to which relevant General Assembly resolutions have been taken into account by the Council in its decisions."

(2) Delete the entire subparagraph.

(f) The Security Council should, in preparing its annual report to the General Assembly, fully take into account General Assembly resolution 51/193 of 17 December 1996;

(g) The Security Council should, when necessary, submit special reports to the General Assembly in accordance with Article 24 (3) of the Charter, for the consideration of the Assembly in accordance with Article 15 (1) of the Charter;

(h) The Security Council is invited, through an appropriate procedure or mechanism, to update the General Assembly on a regular basis on the steps it has taken or is contemplating taking with respect to improving its reporting to the Assembly.

12. Institutionalization:

Incorporate provisions to this effect into the rules of procedure of the Security Council or, as appropriate, statements by the President of the Council.

G. "Arria formula"

13. Suggested improvements to the present practice:

On the initiative of one of its members and in keeping with rule 39 of its provisional rules of procedure, the Security Council could resort, as appropriate, to the Arria formula to hear views and obtain or exchange information with personalities, organizations, institutions or whomever it considers pertinent, involved in a conflict. At no time will the Security Council receive representatives of Governments of United Nations Member States under this mechanism. The level of representation of the Security Council members should be commensurate with that of those invited.

Suggested amendments:

(1) Replace the first sentence with the following: "On the initiative of one of its members, the members of the Security Council, based on their mutual agreement, could resort, as appropriate, to the Arria formula to hear

views and obtain or exchange information in an informal way with any persons whose contributions they consider pertinent because of their responsibilities or personal or institutional influence to reach a better understanding of the issues before the Council."

(2) In the first sentence, insert the words "in accordance with Article 65 of the Charter and as provided for by the Economic and Social Council" after the words "personalities, organizations, institutions".

(3) Replace the first sentence with the following two sentences: "The Security Council should fully implement rule 39 of its provisional rules of procedure. Bearing in mind this rule, the Security Council may agree to resort, as appropriate, to the Arria formula as an informal way to hear views and obtain or exchange information with personalities, organizations, institutions or whomever it considers pertinent, involved in a conflict."

(4) Delete the second sentence.

(5) Delete the third sentence.

(6) Delete the entire section G.

(7) In the second sentence, replace the words "at no time will the Security Council" with the words "as a general rule, the Security Council will not".

14. Institutionalization:

Incorporate provisions to this effect into the rules of procedure of the Security Council or, as appropriate, statements by the President of the Council.

H. Meetings of the Security Council in accordance with Articles 35 and 99 of the Charter

15. Suggested improvements to the present practice:

Requests for meetings of the Security Council in accordance with Articles 35 and 99 of the Charter should be immediately circulated as a document of the Council, and the requested meeting should be promptly convened.

16. Institutionalization:

Incorporate provisions to this effect into the rules of procedure of the Security Council or, as appropriate, statements by the President of the Council.

I. Ad hoc missions of the Security Council

17. Suggested improvements to the present practice:

(a) The Security Council should establish criteria for deciding the destination, size and mandate of its ad hoc missions. The transparency of budgetary aspects of such missions should be ensured well in advance of the dispatch of such missions;

Suggested amendments to the above proposal

(1) A new subparagraph (a) should be included to read:

"The Security Council should include troop-contributing countries that contribute formed units to a particular United Nations peacekeeping operation in Council missions to the country/countries hosting such an operation."

(2) Replace the word "establish" with "establish, as appropriate,".

(3) Replace the words "should be" with "should continue to be"

(4) Delete "destination,".

(5) Replace the word "criteria" with "guidelines".

(6) The two sentences should each be a separate subparagraph.

(b) The Security Council should continue to inform the general membership as soon as possible about its ad hoc missions to a crisis region as well as its terms of reference;

(c) The Security Council should also continue the practice of informing the general membership as soon as possible about the findings of such missions, for example, in a written report circulated as a United Nations document;

(d) The Security Council should furthermore provide for a meeting to discuss the findings of those missions, while allowing non-members of the Council to participate in the discussions.

18. Institutionalization:

Incorporate provisions to this effect into the rules of procedure of the Security Council or, as appropriate, statements by the President of the Council.

J. Consultations pursuant to Article 50 of the Charter

19. Suggested improvements to the present practice:

(a) The Security Council should take measures providing for more effective implementation of the right contained in Article 50 of the Charter for any State, whether a Member of the United Nations or not, to consult the Council with regard to problems arising from its implementation of preventive or enforcement measures imposed by the Council. Such consultations should be held promptly upon a request submitted by the State concerned;

(b) The Security Council should take fully into account those sections in annex II to General Assembly resolution 51/242 of 15 September 1997, entitled "Question of sanctions imposed by the United Nations", that are relevant to the application of Article 50 of the Charter and relate to the working methods of the Security Council and the transparency of its work.

20. Institutionalization:

Incorporate provisions to this effect into the rules of procedure of the Security Council or, as appropriate, statements by the President of the Council.

K. Mechanism to alert non-members of the Security Council to unscheduled or weekend meetings

21. Suggested improvements to the present practice:

The Secretariat should continue to alert non-members of the Security Council of unscheduled emergency meetings of the Council, including information as to their subject matter and purpose, during nights, weekends and holidays (e.g., a voice recording, a web site, an electronic message and a facsimile transmission to all Member States).

22. Institutionalization:

Incorporate provisions to this effect into the rules of procedure of the Security Council or, as appropriate, statements by the President of the Council.

L. Consultations between the President of the Security Council, the President of the General Assembly and the Secretary-General

23. Suggested improvements to the present practice:

(a) The President of the Security Council, the President of the General Assembly and the Secretary-General should hold regular monthly consultations, to which members of the Bureau of the General Assembly could be invited, when the need arises. In the event of an international crisis or any other urgent development, such consultations should be held more frequently;

(b) The President of the Security Council is requested to raise with the President of the General Assembly, during their monthly informal meetings and when deemed appropriate, the measures mentioned in section F.11 (e) above. The President of the General Assembly should report to the Assembly on the steps taken by the Council in this regard;

Suggested amendments to subparagraph (b)

(1) Delete the entire subparagraph.

(2) Replace the words "is requested" with "is invited".

(c) The President of the Security Council should brief the Chairmen of the regional groups on the programme of work of the Council at the beginning of the month and should later continue to inform them as appropriate and as the need arises.

24. Institutionalization:

Incorporate provisions to this effect into the rules of procedure of the Security Council or, as appropriate, statements by the President of the Council.

M. Consultations with funds, programmes and agencies

25. Suggested improvements to the current practice:

(a) The conduct of operational and humanitarian activities must conform to the guiding principles of humanitarian assistance and the principles of United Nations development assistance. In cases when, as a transitory and exceptional measure, the Security Council is involved in overseeing and mandating humanitarian and operational assistance, the President of the Council should consult the principal officers of the organizations concerned before the Council acts. The decisions of the respective executive board and of the General Assembly shall be final in all aspects of such programmes;

(b) In order to avoid any gap between peacekeeping and peace-building, the Security Council should, where appropriate, consult, at various stages of any peacekeeping operation that includes peace-building elements and in particular when the operation is being established, with the State concerned and with relevant actors who are primarily responsible for coordinating and implementing aspects of peace-building activities, such as the General Assembly, the Economic and Social Council, the United Nations funds and programmes, the international financial institutions, regional organizations and major donor countries.

26. Institutionalization:

Incorporate provisions to this effect into the rules of procedure of the Security Council or, as appropriate, statements by the President of the Council.

N. Records and archives

27. Suggested improvements to the present practice:

(a) The Security Council should review its procedures and rules for the creation and maintenance of and access to the records and archives of its private and public meetings and informal consultations of the whole;

(b) Procedures for promptly fulfilling requests for these records and archives by the accredited representatives of any member of the Security Council should be established;

Suggested amendments to subparagraph (b)

(1) Insert the word "considering" in place of the word "fulfilling".

(2) Insert the words "access to" before the words "these records".

(3) Insert the word "non-members" in place of the words "any member".

(4) Insert the words "United Nations" in place of the words "Security Council"

(5) Insert a new subparagraph (b) bis to read: "Members of the Security Council shall at all times have the right to consult the records of the private meetings of the Council."

(c) In its annual report to the General Assembly, the Security Council should certify that the maintenance of its records and archives meet the established international standards for the management of records and archives.

28. Institutionalization:

Incorporate provisions to this effect into the rules of procedure of the Security Council or, as appropriate, statements by the President of the Council.

III. Subsidiary organs of the Security Council

A. Sanctions committees

29. Suggested improvements to the present practice:

(a) Summary records of the meetings of the sanctions committees, which do not compromise the confidentiality of the work of the committees, should be made available promptly to non-members of the Security Council;

(b) The sanctions committees should ensure that the administrative procedure of processing applications for exemptions from sanctions regimes is as efficient as possible in order to avoid delays in clearing applications and thus to minimize unintended adverse side effects of sanctions;

(c) The countries specially affected by sanctions regimes, including target countries, should be given reasonable access to sanctions committees to explain their situations directly related to the implementation of sanctions;

Suggested amendments to subparagraph (c)

(1) Delete the word "reasonable".

(2) Insert the word "better" in place of the word "reasonable".

(3) Revise the subparagraph to read: "The target or affected countries, as well as concerned organizations, should be better able to exercise the right of explaining or presenting their points of view to the sanctions committees."

(4) In suggested amendment (3) above, delete the word "better".

(5) The access to "sanctions committees" of countries affected by "sanctions regimes" should be maximized.

(d) The Security Council should take fully into account those sections in annex II to General Assembly resolution 51/242 of 15 September 1997, entitled "Questions of sanctions imposed by the United Nations", that are relevant to the procedures and working methods of the sanctions committees;

(e) The agenda of the meetings of the sanctions committees should be announced in the *Journal of the United Nations* in the same way as the agenda of the Security Council;

(f) Chairmen of sanctions committees should, as appropriate, after each meeting continue to give substantive and detailed briefings on their proceedings to non-members of the Council and, as appropriate, distribute documents which were considered in the course of such meetings. Such briefings should continue to be announced in the *Journal of the United Nations*;

(g) Public information on the work of the sanctions committees should be made available on the Internet and through other means of communication.

30. Institutionalization:

Incorporate provisions to this effect into the rules of procedure of the Security Council or, as appropriate, statements by the President of the Council.

B. Other subsidiary organs

31. Suggested improvements to the present practice:

(a) Meetings of subsidiary organs of the Council established pursuant to Article 29 of the Charter should be more transparent and their proceedings, when appropriate, open to non-members of the Council. Such meetings should be announced in the *Journal of the United Nations*, and information about the proceedings, in particular those regarding decisions and recommendations, should be made available to non-members;

Suggested amendments to subparagraph (a)

(1) Delete the word "more" in the first sentence.

(2) In the first sentence, insert the words "and working groups of the Security Council" after the words "the Charter".

(3) Delete the entire subparagraph.

(4) In the first sentence, insert the word "other" after the words "Meetings of".

(5) Move subparagraph (a) to the very beginning of Chapter III.

(6) In the first sentence, in place of the words "subsidiary organs", insert the words "working groups".

(b) Chairmen of other subsidiary organs of the Security Council should, as appropriate after each meeting, give substantive and detailed briefings on their proceedings to non-members of the Council and, as appropriate, distribute documents which were considered in the course of such meetings. Such briefings should be announced in the *Journal of the United Nations*.

Suggested amendment to subparagraph (b)

In the first line, delete the word "other".

Note: The question of a reference to Security Council working groups in this subparagraph may require further consideration.

32. Institutionalization:

Incorporate provisions to this effect into the rules of procedure of the Security Council or, as appropriate, statements by the President of the Council.

IV. Relationship between the Security Council and other principal organs of the United Nations

A. International Court of Justice

33. Suggested improvements to the present practice:

In accordance with relevant provisions of the Charter, the Security Council should consider requesting more often the International Court of Justice to give an advisory opinion on any legal question.*

Suggested amendments

(1) Insert the words "request as appropriate" in place of the words "consider requesting more often".

(2) The words "on any legal question" should be replaced with the words "on any legal question relevant to the maintenance of international peace and security".

(3) Delete paragraph 33.

34. Institutionalization:

Incorporate provisions to this effect into the rules of procedure of the Security Council or, as appropriate, statements by the President of the Council.

* See *Official Records of the General Assembly, Fifty-first Session, Supplement No. 47* (A/51/47), annex V, "Negotiating paper submitted by the Movement of Non-Aligned Countries", for an earlier formulation.

B. Economic and Social Council

35. Suggested improvements to the present practice:

In accordance with Article 65 of the Charter, the Security Council should consider requesting the Economic and Social Council to furnish it with information on matters relevant to the work of the Security Council.

36. Institutionalization:

Incorporate provisions to this effect into the rules of procedure of the Security Council or, as appropriate, statements by the President of the Council.

V. Relationship between the Security Council and regional arrangements and agencies

37. Suggested improvements to the present practice:

(a) Efforts to enhance peacekeeping capacities of regional arrangements or agencies should not relieve the Security Council of its obligations under the Charter of the United Nations, which confers on it the primary responsibility for the maintenance of international peace and security;*

(b) In its relations with regional arrangements and agencies, the Security Council should take fully into account the relevant provisions of General Assembly resolution 49/57 of 9 December 1994 and annex I to General Assembly resolution 51/242 of 15 September 1997, entitled "Coordination", bearing in mind the primary responsibility of the Security Council for the maintenance of international peace and security;

(c) Regional arrangements and agencies should be consulted on matters affecting the maintenance of international peace and security in accordance with Chapter VIII of the Charter and the relevant mandates of regional arrangements and agencies concerned;

Suggested amendments to subparagraph (c)

(1) Insert the words "Close consultation should be maintained between the Security Council and regional arrangements and agencies" in place of the words "Regional arrangements and agencies should be consulted".

(2) Insert the words "Consultation should be strengthened between the Security Council and regional arrangements and agencies" in place of the words "Regional arrangements and agencies should be consulted".

(3) Revise the subparagraph to read: "The Security Council, in accordance with the provisions of Chapter VIII of the Charter, should enhance its cooperation and consultations on matters affecting the maintenance of international peace and security, with the relevant regional arrangements and agencies."

* Placement of this subparagraph to be decided later.

(4) Delete the entire subparagraph.

(d) Recognizing the important role of regional organizations and arrangements in preventive diplomacy, conflict resolution and peacekeeping activities, the Security Council should consult such organizations and arrangements more frequently. The representative of a regional organization or arrangement should indicate in writing to the President of the Security Council his or her desire to participate in a meeting. The President of the Security Council should respond in accordance with rule 39 of the provisional rules of procedure.

Suggested amendments to subparagraph (d)

(1) At the end of the second sentence, add the words "on an issue in which that organization or arrangement is involved".

(2) Revise the subparagraph to reflect that regional organizations and arrangements should have the possibility to request that the Security Council hold meetings on certain issues.

(3) Delete the first sentence.

38. Institutionalization:

Incorporate provisions to this effect into the rules of procedure of the Security Council or, as appropriate, statements by the President of the Council.

VI. Rules of procedure and institutionalization of the measures taken by the Security Council to enhance its working methods and transparency

39. Suggested improvements to the present practice:

The Security Council should finalize its provisional rules of procedure. Towards this end, the following steps should be taken by the Council:

(i) The arrangements regarding various measures that the Council has already adopted to enhance its methods and transparency, as well as the new measures discussed above, should be institutionalized as proposed by this Working Group in sections II to V of the present report;

(ii) After institutionalization of the measures described in subparagraph (i) above, there should be an overall review of the provisional rules of procedure, after which the word "provisional" should be deleted.

Suggested amendment to paragraph 39

Delete paragraph 39.

References

Descriptive index to notes and statements by the President of the Security Council relating to documentation and procedure (June 1993 to August 2002)*

1. Agenda

S/26015 of 30 June 1993 Note by the President of the Security Council	Inclusion in the *Journal* of provisional agenda for public meetings of the Council.
S/26812 of 29 November 1993 Note by the President of the Security Council	Use of descriptive formulations of agenda items to avoid having a number of separate items on the same subject.
S/2002/316 of 26 March 2002 Note by the President of the Security Council	Introduction of agenda items in public meetings by specifying the agenda item/issue for consideration.

2. Annual report

S/26015 of 30 June 1993 Note by the President of the Security Council	Changes to the format of the report, its distribution and adoption at a public meeting. Amended by S/2002/199.
S/1995/234 of 29 March 1995 Note by the President of the Security Council	Introduction to contain more information on each sanctions Committee. Superseded by S/2002/199.
S/PRST/1996/13 of 28 March 1996 Statement by the President of the Security Council	Report to contain information on meetings with troop-contributing countries chaired by the Presidency. Amended by S/2002/199.
S/1997/451 of 12 June 1997 Note by the President of the Security Council	Changes to the format and additions to the report. Superseded by S/2002/199.
S/1998/1016 of 30 October 1998 Note by the President of the Security Council	Report to contain annual reports of sanctions Committees. Superseded by S/2002/199.
S/2002/199 of 26 February 2002, reissued on 22 May 2002 Note by the President of the Security Council	Change of period covered by the report; revision of format; presentation of the report to the General Assembly by the President of the Council.

* Contained in the annex to the letter dated 6 September 2002 from the President of the Security Council addressed to the Secretary-General (A/57/382-S/2002/1000).

3. Briefings

S/1999/1291 of 30 December 1999 Note by the President of the Security Council	Briefings by the Secretariat in Council meetings. Content and modalities of briefings by the President to non-members of the Council after informal consultations.
S/2002/316 of 26 March 2002 Note by the President of the Security Council	Inclusion and circulation of printed fact sheets for briefings by the Secretariat to Council members.

4. Documentation

S/26015 of 30 June 1993 Note by the President of the Security Council	Procedure for citation of documents referred to in draft resolutions or presidential statements, including prefixes.
S/26389 of 31 August 1993 Note by the President of the Security Council	Issuance of Council documents.
S/1999/1291 of 30 December 1999 Note by the President of the Security Council	Timely circulation of briefing notes on field operations to non-members of the Council.
S/2001/640 of 29 June 2001 Note by the President of the Security Council	Communication and dissemination by the President and Secretariat of Council decisions and statements to the press. Issuance of statements to the press made by the President as United Nations press releases.
S/2002/316 of 26 March 2002 Note by the President of the Security Council	Publication and distribution dates of reports of the Secretary-General.

5. Informal consultations

S/1994/230 of 28 February 1994 Note by the President of the Security Council	Circulation in informal consultations of the Secretary-General's statements to the press on matters of concern to the Council.
S/PRST/1994/62 of 4 November 1994 Statement by the President of the Security Council	President to summarize views expressed at meetings with troop-contributing countries.
S/2000/155 of 28 February 2000 Note by the President of the Security Council	Attendance by newly elected members during the month preceding their term.

6. Meetings

(a) Distribution of statements

S/1994/329 of 23 March 1994 Note by the President of the Security Council	Arrangements for the distribution of statements outside the Council Chamber. Superseded by S/2000/274.
S/2000/274 of 31 March 2000 Note by the President of the Security Council	Arrangements for the distribution of statements in the Council Chamber.

(b) Format

S/1999/1291 of 30 December 1999 Note by the President of the Security Council	Non-exhaustive range of public and private meeting options.

(c) Notification

S/1998/1016 of 30 October 1998 Note by the President of the Security Council	Secretariat to establish a mechanism to alert non-members of the Council of unscheduled or emergency meetings.

(d) Public meetings

S/PRST/1994/81 of 16 December 1994 Statement by the President of the Security Council	Increased recourse to public meetings, in particular at an early stage in the Council's consideration of a subject.
S/1998/1016 of 30 October 1998 Note by the President of the Security Council	Statements by the Secretary-General in public meetings.
S/1999/1291 of 30 December 1999 Note by the President of the Security Council	Identification of additional matters for consideration at public meetings, including situations involving specific countries.
S/2002/316 of 26 March 2002 Note by the President of the Security Council	Addressing speakers by name and title in public meetings.

7. Programme of work

S/26176 of 27 July 1993 Note by the President of the Security Council	Circulation of tentative forecast of programme of work to Member States.
S/1998/354 of 30 April 1998 Note by the President of the Security Council	Availability of provisional schedule of work to Member States.

8. Resolutions and presidential statements

S/26015 of 30 June 1993 Note by the President of the Security Council	Approval of presidential statements to include agreed formulation of subject matter under which it is authorized.
S/1994/230 of 28 February 1994 Note by the President of the Security Council	Draft resolutions in provisional form to be made available to non-members of the Council at the time of consultations of the whole or the following day.
S/1999/165 of 17 February 1999 Note by the President of the Security Council	Full participation of all Council members and sufficient time to be allowed in the preparation of resolutions and presidential statements; contributions by groups of friends and similar arrangements welcomed.
S/1999/1291 of 30 December 1999 Note by the President of the Security Council	Draft resolutions and draft presidential statements to be made available to non-members of the Council as soon as they are introduced in informal consultations of the whole.
S/2001/640 of 29 June 2001 Note by the President of the Security Council	Communication and dissemination by the Secretariat of Council decisions and statements to the press and to all those concerned.

9. Sanctions committees

S/1995/234 of 29 March 1995 Note by the President of the Security Council	List of improvements to make the procedures of sanctions committees more transparent.
S/1995/438 of 31 May 1995 Note by the President of the Security Council	Continuation of practice of hearing comments by Member States and organizations concerned during closed meetings of sanctions committees.
S/1996/54 of 24 January 1996 Note by the President of the Security Council	Oral briefings by the Chairman of each sanctions Committee to interested Member States after each meeting.
S/1998/1016 of 30 October 1998 Note by the President of the Security Council	Arrangements regarding the appointment of the bureaux of sanctions committees.
S/1999/92 of 29 January 1999 Note by the President of the Security Council	List of practical measures to improve the work of sanctions committees.

S/2000/319 of 17 April 2000 Note by the President to the Security Council	Establishment of an informal working group of the Council to develop general recommendations on how to improve the effectiveness of United Nations sanctions, including the working methods of sanctions committees and inter-committee coordination.
S/2002/70 of 15 January 2002 Note by the President to the Security Council	Appointment of new Chairman of the working group; reiterates task of working group to develop general recommendations on how to improve the effectiveness of United Nations sanctions.

10. Matters of which the Council is seized

S/1996/603 of 30 July 1996, reissued on 22 August 1996 Note by the President of the Security Council	As from 15 September 1996, matters which have not been considered in the preceding five years will be automatically deleted from the list unless a Member State notifies its objection to deletion before that date.
S/1996/704 of 29 August 1996 Note by the President of the Security Council	Modifies S/1996/603 so that no item will be deleted from the list without the prior consent of the Member States concerned in accordance with the procedure set out.

11. Troop-contributing countries*

S/PRST/1994/22 of 3 May 1994 Statement by the President of the Security Council	Consideration of the recommendations in the Secretary-General's report entitled "Improving the capacity of the United Nations for peacekeeping" (S/26450 and Add.1 and 2), including factors to be taken into account when considering new peacekeeping operations, and increased communications between the Council and troop-contributing countries.
S/PRST/1994/62 of 4 November 1994 Statement by the President of the Security Council	Procedures for meetings between troop-contributing countries, Council members and the Secretariat. Inclusion of expected schedule of meetings with troop-contributing countries in the Council's monthly tentative forecast of work and time and venue of those meetings in the *Journal*. Superseded by S/PRST/1996/13.

* The documents in this section must be read in the light of resolution 1353 (2001), annex II, which makes provision for the format, procedures and documentation of meetings with troop-contributing countries.

S/PRST/1996/13 of 28 March 1996 Statement by the President of the Security Council	Enhanced procedures for meetings between troop-contributing countries, Council members and the Secretariat. Retains inclusion of meetings with troop-contributing countries in the monthly tentative forecast of work and the *Journal* and in the annual report.
S/1998/1016 of 30 October 1998 Note by the President of the Security Council	Circulation of statements by troop-contributing countries and the Secretariat's briefing notes at meetings with troop-contributing countries as well as weekly briefing notes on field operations to troop-contributing countries. Invitation to relevant United Nations bodies and agencies and other Member States to meetings with troop-contributing countries as appropriate.
S/PRST/2001/3 of 31 January 2001 Statement by the President of the Security Council	Implementation of resolution 1327 (2000), S/PRST/1996/13 and S/PRST/1994/22. Establishment of a Working Group of the Whole on United Nations Peacekeeping Operations, to address both generic peacekeeping issues relevant to the responsibilities of the Council and technical aspects of individual peacekeeping operations.
S/2002/56 of 14 January 2002 Note by the President of the Security Council	Joint meetings of the Security Council Working Group on Peacekeeping Operations and troop-contributing countries as an additional mechanism for strengthening cooperation with troop-contributing countries on specific peacekeeping operations.
S/2002/964 of 27 August 2002 Note by the President of the Security Council	Criteria for participation in private meetings of the Council and consultation meetings with troop-contributing countries under resolution 1353 (2001), annex II, sections A and B.

Relevant notes and statements by the President of the Security Council issued since September 2002

Note by the President of the Security Council dated 22 November 2002 (S/2002/1276)

Following informal consultations of the whole on 19 November 2002, the members of the Security Council agreed that the newly elected members of the Council will be invited to attend the informal consultations of the whole and the formal meetings of the subsidiary bodies of the Council for the period of one month immediately preceding their term of membership (that is, with effect from 1 December). Delegations should respect the confidentiality of those discussions.

The members of the Security Council also agreed that, if an incoming member will be assuming the Presidency of the Council in the first two months of its term on the Council, it will be invited to attend the informal consultations of the whole for the period of two months immediately preceding its term of membership (that is, with effect from 1 November).

The members of the Security Council further agreed that each of those incoming member delegations should be represented at the level of Permanent Representative or Deputy Permanent Representative at informal consultations of the whole and by any one member of their delegations at formal meetings of the subsidiary bodies of the Council. For that purpose, one seat will be assigned to each delegation at the side of the room.

The Chairmen of the subsidiary bodies of the Security Council should not otherwise deviate from Council practice with regard to attendance by incoming members without guidance from the Council.

The present note supersedes the note by the President of the Security Council of 28 February 2000 (S/2000/155).

Other relevant references

S/2002/603* Note by the President of the Security Council dated 6 June 2002 containing as an annex the report entitled "Procedural developments in the Security Council — 2001"

Annex VI

Revised conference room paper submitted by the Bureau of the Working Group on the principal elements of proposals concerning (a) decision-making in the Security Council, including the veto, (b) expansion of the Security Council, and (c) the periodic review of an enlarged Security Council

I. Introduction

This conference room paper is a revised version of the conference room paper issued as document A/AC.247/2003/CRP.2. The paper seeks to identify principal elements of the proposals contained in sections I, II and III of annex XI to the report of the Working Group to the General Assembly at its fifty-fourth session (A/54/47) and incorporates subsequent proposals made by members of the Working Group.

II. Principal elements of proposals made with reference to "Decision-making in the Security Council, including the veto"

A. The veto as a voting instrument in the Council

1. Proposals not necessarily requiring Charter amendment

(a) Proposals to leave the veto in its present form

The veto in its present form should be maintained.

(b) Proposals to preclude use of the veto or to curtail use of the veto

(1) Permanent members of the Council should exercise restraint in resorting to the veto.

(2) Every endeavour should be made to arrive at consensus decisions in the Council so that the veto need not be used.

(3) A veto should only be exercised when the question is of vital importance to the United Nations as a whole.

(4) If a veto is used, a written explanation of the reason for the veto should be given and also provided to the General Assembly.

(5) Permanent members should commit themselves not to use the veto except for matters under Chapter VII of the Charter.

(6) The General Assembly should urge permanent members not to use the veto except for matters under Chapter VII of the Charter.

(7) What constitutes "procedural" matters, in terms of Article 27, paragraph 2, of the Charter, should be established by an updating of the annex to General Assembly resolution 267 (III) *and* should be applied by the Council.

(8) Permanent members of the Council should make unilateral or collective commitments not to use the veto.

2. Proposals requiring Charter amendment

(a) Proposals to eliminate the veto

The veto should be eliminated.

(b) Proposals to curtail the veto

(1) Article 27 of the Charter should define more clearly where a veto is permissible.

(2) The veto should be initially curtailed with a view to eventual elimination.

(3) Limitation of the veto to actions under Chapter VII of the Charter — relevant Articles of the Charter to be appropriately amended.

(4) More than one negative vote (of permanent members) to be required for exercise of a veto.

(5) Exercise of a veto to be subject to General Assembly action.

B. Number of affirmative votes required for decisions in an enlarged Council

(1) The number of affirmative votes required for decisions in the Council should remain, as at present, around 60 per cent.

(2) If 60 per cent of affirmative votes is required for decision, then the number of votes required in an enlarged Security Council would be as follows:

In a Council of 20, it would be 12;

In a Council of 21, it would be 13;

In a Council of 24, it would be 14;

In a Council of 25, it would be 15; and

In a Council of 26, it would be 16.

(3) The relative number of non-permanent-member votes required for decisions in an enlarged Security Council should be increased.

(4) In considering the issue of number of affirmative votes required for a decision in an enlarged Council, there should be no distinction between the votes of permanent members and those of non-permanent members.

III. Principal elements of proposals made with reference to "Expansion of the Security Council"

A. Proposals of a general nature

1. Proposals for enlargement of Council in permanent and non-permanent membership

(1) Enlargement of the Council should enable inclusion of both new permanent members and new non-permanent members from developed/industrialized and developing countries.

(2) The concepts "industrialized countries", "developed countries" and "developing countries" should be clearly defined.

(3) Enlargement in permanent and non-permanent membership should be considered together.

(4) The current ratio of permanent and non-permanent seats should not be altered to the detriment of the non-permanent seats.

(5) A reasonable balance between the number of permanent and non-permanent seats should be maintained and would enhance the representativity and equitable geographical distribution of the Council.

2. Proposals for enlargement of Council in non-permanent membership only, for the time being

If there is no agreement on enlargement of other categories of membership, there should only be, for the time being, enlargement of the non-permanent membership.

3. Proposals for enlargement of Council in non-permanent membership only

(1) There should be enlargement only in non-permanent membership.

(2) An enlarged Council should only include additional non-permanent members based on the principle of sovereign equality of States, and equitable geographical distribution.

B. Proposals of specific numbers for enlargement of Council

1. Specific numbers proposed

The enlarged Council should consist of:

20 members

21 members

22 members

23 members

24 members

25 members

26 members

30 members

2. Range of numbers proposed

The enlarged Council should be:

From 15 to 24

From 24 to 26

No greater than 25

At least 26

C. Increase in the permanent membership of the Council

1. Proposals for permanent seats for: a particular region, a particular group of States or particular countries

(1) Africa should be allocated no less than two permanent seats according to decisions of the Group of African States.

(2) A permanent seat should be allocated for the Group of Arab States, the seat to rotate among Arab States in accordance with the practice of the League of Arab States.

(3) Two permanent seats should be allocated to Asia for decision of the Asian group in accordance with the system or rotation to be established by a working group formed for the purpose.

(4) One permanent seat should be allocated for the European Union.

(5) There should be two new permanent seats created for Germany and Japan as industrialized States.

2. Proposals for enlargement of permanent membership of the Council

(1) Five additional permanent seats: designated by two-thirds majority vote in the General Assembly — preferably on a regional basis, taking account of equitable geographical distribution and capacity to contribute to peacekeeping operations.

(2) Five additional permanent seats:

- One to developing States of Africa;
- One to developing States of Asia;
- One to developing States of Latin America and the Caribbean;
- Two to industrialized States.

(3) Each developing region to be allocated two (regional) seats. Regional mechanism to determine allocation of seats within region.

As regards permanent regional representation, it is not precluded that a region may determine its own selection, prior to election by the General Assembly.

D. Extension of the veto to new permanent members

1. Question whether the veto should be extended

(1) New permanent members should have the same prerogative and powers of current permanent members.

(2) The veto should not be extended to new permanent members.

(3) New permanent members should:

(a) Indicate willingness to be permanent members without the veto;

(b) Agree not to exercise the veto until a periodic review of the enlarged Security Council has taken place.

2. When should question of extension of the veto to new permanent members be considered?

(1) Extension of the veto to new permanent members should be considered at the end of agreement on the reform package.

(2) Extension of the veto to new permanent members should be considered only in the context of curtailment of veto use by the current permanent members.

(3) A decision on the extension of the veto to new permanent members should be taken once they have been elected.

(4) A high-level Working Group should consider the question of the extension of the veto to new permanent members. During the interim period, new permanent members will not individually exercise the veto and the concurring vote of a specified number (e.g. four out of five) will be required for Security Council decision on matters not procedural under Chapter VII of the Charter.

E. Increase in non-permanent membership

1. Reference in proposals to general criteria for enlargement of non-permanent membership

(1) Increase in non-permanent membership should take into account candidates from developing countries and industrialized States.

(2) When additional non-permanent seats are distributed, no national or regional group should be discriminated against.

(3) Retiring non-permanent members of the Council should be eligible for immediate re-election.

2. Allocation of non-permanent seats among regions

(1) Every regional group should be allocated at least one additional non-permanent seat.

(2) There should be an increase in both permanent and non-permanent categories. There should be four additional non-permanent seats as follows:

One for Africa;

One for Asia;

One for Latin America and the Caribbean;

One for Eastern Europe.

(3) Four new non-permanent members should be elected as follows:

One for Africa;

One for Asia;

One for Eastern Europe;

One for Latin America and the Caribbean.

3. Allocation of non-permanent seats to one particular region or to one group of States

- There should be five non-permanent seats for Africa.
- There should be one additional seat for Eastern Europe.
- There should be two non-permanent seats for the Group of Arab States.

4. Some States to participate more frequently as non-permanent members

(1) There should be five additional (long-term, 6 to 12 years) non-permanent seats to be chosen by the General Assembly, with retiring members eligible for re-election.

The other 10 non-permanent seats would continue as at present.

(2) If two additional seats for permanent members are created, the number of non-permanent members should be increased by eight as follows:

Two seats for Africa;

Two seats for Asia;

Two seats for Latin America and the Caribbean;

One seat for Western Europe and other;

One seat for Eastern Europe.

If there are eight new non-permanent seats (additional to the present 10 non-permanent seats), each seat could "rotate" among three or four States, enabling (24 to 32) countries that make a substantial contribution to peacekeeping activities and United Nations financing and represent the majority of the world's population to assume greater responsibility in implementing the Charter.

(3) Ten new non-permanent seats should be added. For each of those seats, three States would be rotating, making a total of 30 States. Consequently, each of them would remain two years on, and four consecutive years off, the Council.

Those 30 States, which therefore would rotate more frequently and regularly than others, should be selected on the basis of objective criteria to be determined by the General Assembly.

(4) The number of non-permanent members should be increased from 10 to 15. The additional five non-permanent members could have a long term (between 6 and 12 years, for example) and be chosen by the General Assembly by a simple majority. Retiring members would be eligible for immediate re-election. The other 10 non-permanent members would continue to be elected by the General Assembly for a period of two years. They would not be eligible for immediate re-election at the end of their terms.

(5) States with strength and influence in international relations and the capacity and the will to make a significant contribution to the purposes of the United Nations should participate more frequently in the Council.

IV. Principal elements of proposals made concerning the periodic review of an enlarged Security Council

A. Scope and necessity for periodic review

1. A periodic review of the structure and functioning of the Security Council is necessary.

2. A review of the Security Council is unnecessary.

3. If there are no additional permanent members, a review would not be necessary.

4. Issues within the mandate of the Open-ended Working Group should be subject to periodical review every 10 to 15 years.

5. The review process should take into account all aspects of reform: status of new permanent members, question of the veto, accountability and representation of regions in the Security Council.

6. The review should not cover the original five permanent members.

B. Timing of review

1. A review should take place every 10 to 15 years.

2. The review should be automatically included in the agenda of the General Assembly and concluded within two years.

C. Decision-making in the course of a review

The review should not be subject to the veto.

Annex VII

Revised conference room paper submitted by the Bureau of the Working Group on the working methods of the Security Council and transparency of its work

I. Introduction

In this revised version of the conference room paper issued as document A/AC.247/2003/CRP.3 on the working methods of the Security Council and transparency of its work, paragraphs and subparagraphs which have been provisionally agreed in the Working Group are indicated by bold typeface. For paragraphs on which there is not yet provisional agreement, amendments and suggestions presented in the discussion in the Working Group, as recorded by the Bureau, have also been listed; there were also proposals to delete some of these paragraphs. Further proposals to that effect may be made in the future.

Furthermore, the Bureau has decided to add, at the end of the conference room paper, the descriptive index to notes and statements by the President of the Security Council relating to documentation and procedure issued as an annex to the letter dated 6 September 2002 from the President of the Security Council addressed to the Secretary-General issued as document A/57/382-S/2002/1000. The full text of subsequent relevant notes and statements has also been added. Members may also wish to refer to the full text of relevant documents contained in annexes to the last two years' reports of the Working Group (A/55/47, annex XVII, and A/56/47, annex V). The Bureau hopes that the inclusion of these references and excerpts may inform delegations of relevant past practice in this area and facilitate constructive discussion within the Working Group.

II. Relationship between the Security Council, the General Assembly and the general membership of the United Nations

A. Meetings of the Security Council and informal consultations of the whole*

1. Suggested improvements to the present practice:

(a) The Security Council should, as a general rule, meet in a public format open to all Member States of the United Nations;

(b) Exceptionally, the Security Council may decide to meet in private;

(c) When special circumstances so require, the members of the Security Council may meet for informal consultations of the whole;

* This title to be reviewed at the stage of institutionalization.

Suggested amendment to subparagraph (c) in favour of reference to "informal consultations of the whole"

(1) Revise the subparagraph to read: "Members of the Security Council may meet for informal consultations of the whole for the exclusive purpose of drafting its decisions or hearing briefings on exceptionally delicate situations."

Suggested amendments to subparagraph (c) opposing reference to "informal consultations of the whole"

(2) Delete the entire subparagraph.

(3) Insert the words "closed meetings" in place of the words "informal consultations".

(d) The Security Council should, in a timely fashion and whenever appropriate, hold substantive orientation debates open to all Member States on matters under its consideration;

(e) The Security Council should, whenever appropriate, meet at the ministerial level;

(f) When the Secretary-General, his/her special representatives and/or special envoys, and the heads or representatives of United Nations bodies, agencies or field missions report to the Security Council, they should do so, as a general rule, in a public format;

(g) The Secretary-General, his/her special representatives and/or special envoys, and the heads or representatives of the United Nations bodies, agencies or field missions may report to the Security Council in private.

2. Institutionalization:

Incorporate provisions to this effect into the rules of procedure of the Security Council or, as appropriate, statements by the President of the Council.

B. Participation of non-members in meetings of the Security Council and informal consultations of the whole

The active participation of non-members in the substantive discussions of the Security Council is an important step towards making the work of the Council more open, effective, transparent and representative.

3. Suggested improvements to the present practice:

(a) The Security Council should continue to hear the views of non-members of the Council, particularly those affected by the issues under consideration, in public meetings at the beginning of its consideration of a substantive matter;

Suggested amendment to subparagraph (a)

Delete the entire subparagraph.

(b) When a non-member of the Security Council submits a written request for a meeting with the President of the Council to discuss an urgent matter affecting its interests, the President should acknowledge such a request in writing. Upon receipt of such a request, the President should promptly meet the non-member in question and inform the Council about the démarche;

(c) The Security Council should fully implement Articles 31 and 32 of the Charter and rules 37 and 38 as well as all other relevant Provisional Rules of Procedure;

(d) Non-members of the Security Council whose interests are specially affected and who are willing to participate in a private meeting should indicate in writing to the President of the Security Council their desire to do so. The President of the Security Council should respond to such requests, and if the response is negative, the response should be in writing;

(e) The Security Council should, if requested by countries affected by the decisions of the Council, conduct consultations with those countries;

Suggested amendment to subparagraph (e)

Delete the entire subparagraph.

(f) The members of the Security Council should, as appropriate, invite non-members of the Council to participate in their discussions during informal consultations of the whole on matters directly affecting such members, under similar arrangements as stipulated in Articles 31 and 32 of the Charter.

Suggested amendments to subparagraph (f)

(1) Delete the entire subparagraph.

(2) Delete the words "as appropriate".

(3) Revise the subparagraph to read: "The non-members of the Security Council should be invited to participate in Council discussions during informal consultations of the whole on matters directly affecting them, under similar arrangements as stipulated in Articles 31 and 32 of the Charter."

4. Institutionalization:

Incorporate provisions to this effect into the rules of procedure of the Security Council or, as appropriate, statements by the President of the Council.

C. Programme of work of the Security Council and agenda of its meetings and informal consultations of the whole

5. Suggested improvements to the present practice:

(a) The Security Council's tentative forecast of its programme of work for the coming month should be made available to all Member States as soon as it is available to members of the Council;

(b) The calendar setting out the Security Council's provisional monthly schedule of work, and updated versions thereof, should be made available to all Member States as soon as possible after their consideration by the members of the Council;

(c) The Council should consider its monthly programme of work at a public meeting;

Suggested amendments to subparagraph (c)

(1) Subparagraph (c) should be deleted.

(2) Subparagraph (c) should be revised to read: "At the beginning of each month, the Council should consider its monthly programme of work at a public meeting."

(d) The provisional agenda of the Security Council, with indications as to actions expected of the Council (e.g., decisions on draft resolutions and presidential statements, reports, exchanges of views, etc.) and the agenda for informal consultations of the whole, including a list of issues to be discussed under "other matters", whenever they are known in advance, should be included in the *Journal of the United Nations*.

6. Institutionalization:

Incorporate provisions to this effect into the rules of procedure of the Security Council or, as appropriate, statements by the President of the Council.

D. Briefings by the President of the Security Council to non-members, availability of draft resolutions and summaries of meetings and informal consultations of the whole

7. Suggested improvements to the present practice:

(a) The present practice followed by the Presidency of the Security Council of briefing non-members should be continued. Briefings should be detailed and take place directly following informal consultations of the whole and Council meetings not open to all Member States. Interpretation should be provided for those briefings. Briefings for non-members should be closed and held no later than briefings for the media. The President of the Council will decide whether written records of such briefings, including the elements of statements made by him/her to the press, should also be distributed. If written records of the briefings are to be provided, they should also be transmitted to the permanent missions to the United Nations through electronic mail;

Suggested amendment to subparagraph (a) (second sentence)

Delete the second sentence.

Suggested amendment to subparagraph (a) (third sentence)

Delete the third sentence.

Suggested amendments to subparagraph (a) (fourth sentence)

(1) Revise the fourth sentence to read: "Briefings for non-members should be closed and held before briefings for the media."

(2) Delete the fourth sentence.

Suggested amendment to subparagraph (a) (fifth and sixth sentences)

Delete the fifth and sixth sentences.

(b) A short factual summary of the Council's informal consultations of the whole, prepared by the Secretariat in consultation with the President, should be circulated to all Member States no later than the day after. The summaries should also be transmitted to permanent missions through electronic mail;

Suggested amendments to subparagraph (b)

(1) Delete the entire subparagraph.

(2) Insert the words "a short summary of major points of discussion" in place of the words "a short factual summary".

(3) In the second sentence, insert the words "normal channels, including" before the words "electronic means".

(c) Draft resolutions and draft presidential statements, as well as other draft documents that are tabled at informal consultations of the whole of the Council for action on its agenda items, should be made available by the President of the Security Council also to non-members of the Council as soon as such documents are tabled; or earlier, if so authorized by the author of the draft;

(d) The President, in briefing non-members of the Council, should provide information about the main elements and any new elements of draft resolutions, presidential statements and other documents under consideration by the Council.

8. Institutionalization:

Incorporate provisions to this effect into the rules of procedure of the Security Council or, as appropriate, statements by the President of the Council.

E. Meetings with troop-contributing countries and other countries contributing to a peacekeeping operation

9. Suggested improvements to the present practice:

(a) While authorizing force, the Security Council should adhere to the provisions of Articles 43 and 44 of the Charter of the United Nations;

Suggested amendment to subparagraph (a)

Delete the entire subparagraph.

Note: The placement of this subparagraph will be considered later.

(b) Meetings between members of the Security Council and countries which contribute troops and civilian police, both current and prospective, should be held on a regular basis before and during the decision-making process on the establishment, conduct, review and termination of a peacekeeping operation, including the extension and change of mandates, as well as specific operational issues. In case of emergencies, such meetings should be held promptly;

(c) Other countries contributing to a peacekeeping operation should be invited, as appropriate, to these meetings;

(d) Countries directly concerned and/or affected by a peacekeeping operation should also, in specific circumstances and where appropriate, be invited to these meetings;

(e) Meetings with troop-contributing countries and other countries contributing to a peacekeeping operation should be convened and chaired by the President of the Security Council, supported by the Secretariat;

(f) The President of the Council should convene meetings with troop-contributing countries in a timely manner, including at their request;

(g) The President of the Security Council should make the necessary arrangements to ensure that the meetings with troop-contributing countries and other countries contributing to a peacekeeping operation are held at a time that allows those countries to adequately consider the relevant reports of the Secretary-General. The Secretariat should make these reports available at an appropriate time before such meetings;

(h) Meetings should be announced in the *Journal of the United Nations*;

(i) Immediately following meetings between Security Council members, troop-contributing countries, other contributors and the Secretariat, the President should brief interested non-members of the Security Council on the contents of such meetings. Such briefings should be announced in the *Journal of the United Nations*;

(j) A written summary of meetings with troop-contributing countries, prepared by the Secretariat in consultation with the President of the Security Council, which does not compromise the confidentiality of the work of those meetings, should be made available promptly to all Member States. Written copies of the Secretariat's briefings at those meetings should, whenever possible, be made available to troop-contributing countries upon request;

(k) The President of the Security Council should report to the Council the views expressed by participants at troop-contributors' meetings. The Council should fully take into account these views in its deliberations;

(l) The Secretariat should make available, to all Member States, weekly reports on field operations, which are available to members of the Security Council.

10. Institutionalization:

Incorporate provisions to this effect into the rules of procedure of the Security Council or, as appropriate, statements by the President of the Council.

F. Reports of the Security Council to the General Assembly

11. Suggested improvements to the present practice:

(a) The annual report of the Security Council to the General Assembly, submitted pursuant to Article 24 (3) of the Charter, should give a detailed and comprehensive account of the Council's work and should be made available to the General Assembly no later than 30 August;

Suggested amendment to subparagraph (a)

Insert the words "before the beginning of the general debate" in place of the words "no later than 30 August".

(b) Upon the completion of his/her Presidency, each President of the Security Council should provide a substantive and analytical assessment of the work of the Council, including, as appropriate, informal consultations of the whole, held during his/her Presidency. These assessments, prepared under the exclusive responsibility of the President following consultations with Council members, should be balanced, comprehensive and objective and distributed as official documents to all Member States immediately after their issuance by the outgoing President. They should also be appended to the annual report of the Council to the General Assembly;

Suggested amendments to subparagraph (b)

(1) In the first sentence, delete the words "including, as appropriate, informal consultations of the whole, held".

(2) Delete in the second sentence the words "balanced, comprehensive and objective and".

(3) The existing practice (set out in document S/1997/451) should be retained.

(4) Subparagraph (b) should be revised to read:

"As is the present practice, upon the completion of his/her Presidency each President of the Security Council should provide an assessment of the work of the Council including, as appropriate, informal consultations of the whole, held during his/her Presidency. These assessments should be prepared under the exclusive responsibility of the President following consultations with Council members, and should be distributed as official documents to Member States immediately after their issuance by the outgoing President. Such assessments should include copies of statements that the President of the Security Council makes to the press on behalf of the members of the Council as

appropriate. They should also be appended to the annual report of the Council to the General Assembly."

(c) The annual report of the Security Council should also include information on the informal consultations of the whole;

Suggested amendments to subparagraph (c)

(1) Add the following words at the end of the sentence: "and statements that the President of the Security Council makes to the press on behalf of the members of the Council".

(2) Add the following words at the end of the sentence: "and statements that the President of the Security Council makes to the press with the prior authorization of the Security Council".

(3) Delete subparagraph (c) and the suggested amendments.

(d) The Security Council should include in its annual report information on requests received under Article 50 of the Charter and actions taken by the Council thereon;

(e) The annual report should enable Member States to assess the extent to which General Assembly and Security Council resolutions have been taken into account by the Council in its decision-making process on issues falling within the scope of the General Assembly and of the Security Council;

Suggested amendment to subparagraph (e)

Delete the entire subparagraph.

(f) The Security Council should, in preparing its annual report to the General Assembly, fully take into account General Assembly resolution 51/193 of 17 December 1996;

Suggested amendment to subparagraph (f)

Delete the entire subparagraph.

(g) The Security Council should, when necessary, submit special reports to the General Assembly in accordance with Article 24 (3) of the Charter, for the consideration of the Assembly in accordance with Article 15 (1) of the Charter;

(h) The Security Council is invited, through an appropriate procedure or mechanism, to update the General Assembly on a regular basis on the steps it has taken or is contemplating taking with respect to improving its reporting to the Assembly.

12. Institutionalization:

Incorporate provisions to this effect into the rules of procedure of the Security Council or, as appropriate, statements by the President of the Council.

G. "Arria formula"

13. **Suggested improvements to the present practice:**

On the initiative of one of its members and in keeping with rule 39 of its provisional rules of procedure, the Security Council could resort, as appropriate, to the Arria formula to hear views and obtain or exchange information with personalities, organizations, institutions or whomever it considers pertinent, involved in a conflict. At no time will the Security Council receive representatives of Governments of United Nations Member States under this mechanism. The level of representation of the Security Council members should be commensurate with that of those invited.

Suggested amendments

(1) Replace the first sentence with the following: "On the initiative of one of its members, the members of the Security Council, based on their mutual agreement, could resort, as appropriate, to the Arria formula to hear views and obtain or exchange information in an informal way with any persons whose contributions they consider pertinent because of their responsibilities or personal or institutional influence to reach a better understanding of the issues before the Council."

(2) Delete the second sentence.

(3) Delete the third sentence.

14. **Institutionalization:**

Incorporate provisions to this effect into the rules of procedure of the Security Council or, as appropriate, statements by the President of the Council.

H. Meetings of the Security Council in accordance with Articles 35 and 99 of the Charter

15. **Suggested improvements to the present practice:**

Requests for meetings of the Security Council in accordance with Articles 35 and 99 of the Charter should be immediately circulated as a document of the Council, and the requested meeting should be promptly convened.

16. **Institutionalization:**

Incorporate provisions to this effect into the rules of procedure of the Security Council or, as appropriate, statements by the President of the Council.

I. Ad hoc missions of the Security Council

17. **Suggested improvements to the present practice:**

(a) The Security Council should establish criteria for deciding the destination, size and mandate of its ad hoc missions. The transparency of

budgetary aspects of such missions should be ensured well in advance of the dispatch of such missions;

Suggested amendments to subparagraph (a)

(1) A new subparagraph (a) should be included to read:

"The Security Council should include troop-contributing countries that contribute formed units to a particular United Nations peacekeeping operation in Council missions to the country/countries hosting such an operation."

(2) Replace the word "establish" with "establish, as appropriate,".

(3) Replace the word "criteria" with "guidelines".

(4) Delete the entire subparagraph.

(b) The Security Council should continue to inform the general membership as soon as possible about its ad hoc missions to a crisis region as well as its terms of reference;

(c) The Security Council should also continue the practice of informing the general membership as soon as possible about the findings of such missions, for example, in a written report circulated as a United Nations document;

(d) The Security Council should furthermore provide for a meeting to discuss the findings of those missions, while allowing non-members of the Council to participate in the discussions.

18. Institutionalization:

Incorporate provisions to this effect into the rules of procedure of the Security Council or, as appropriate, statements by the President of the Council.

J. Consultations pursuant to Article 50 of the Charter

19. Suggested improvements to the present practice:

(a) The Security Council should take measures providing for more effective implementation of the right contained in Article 50 of the Charter for any State, whether a Member of the United Nations or not, to consult the Council with regard to problems arising from its implementation of preventive or enforcement measures imposed by the Council. Such consultations should be held promptly upon a request submitted by the State concerned;

(b) The Security Council should take fully into account those sections in annex II to General Assembly resolution 51/242 of 15 September 1997, entitled "Question of sanctions imposed by the United Nations", that are relevant to the application of Article 50 of the Charter and relate to the working methods of the Security Council and the transparency of its work.

20. Institutionalization:

Incorporate provisions to this effect into the rules of procedure of the Security Council or, as appropriate, statements by the President of the Council.

K. Mechanism to alert non-members of the Security Council to unscheduled or weekend meetings

21. Suggested improvements to the present practice:

The Secretariat should continue to alert non-members of the Security Council of unscheduled emergency meetings of the Council, including information as to their subject matter and purpose, during nights, weekends and holidays (e.g., a voice recording, a web site, an electronic message and a facsimile transmission to all Member States).

22. Institutionalization:

Incorporate provisions to this effect into the rules of procedure of the Security Council or, as appropriate, statements by the President of the Council.

L. Consultations between the President of the Security Council, the President of the General Assembly and the Secretary-General

23. Suggested improvements to the present practice:

(a) The President of the Security Council, the President of the General Assembly and the Secretary-General should hold regular monthly consultations, to which members of the Bureau of the General Assembly could be invited, when the need arises. In the event of an international crisis or any other urgent development, such consultations should be held more frequently;

(b) The President of the Security Council is requested to raise with the President of the General Assembly, during their monthly informal meetings and when deemed appropriate, the measures mentioned in section F.11 (e) above. The President of the General Assembly should report to the Assembly on the steps taken by the Council in this regard;

Suggested amendments to subparagraph (b)

(1) Delete the entire subparagraph.

(2) Replace the words "is requested" with "is invited".

(c) The President of the Security Council should brief the Chairmen of the regional groups on the programme of work of the Council at the beginning of the month and should later continue to inform them as appropriate and as the need arises.

24. Institutionalization:

Incorporate provisions to this effect into the rules of procedure of the Security Council or, as appropriate, statements by the President of the Council.

M. Consultations with funds, programmes and agencies

25. Suggested improvements to the current practice:

(a) The conduct of operational and humanitarian activities must conform to the guiding principles of humanitarian assistance and the principles of United Nations development assistance. In cases when, as a transitory and exceptional measure, the Security Council is involved in overseeing and mandating humanitarian and operational assistance, the President of the Council should consult the principal officers of the organizations concerned before the Council acts. The decisions of the respective executive board and of the General Assembly shall be final in all aspects of such programmes;

(b) In order to avoid any gap between peacekeeping and peace-building, the Security Council should, where appropriate, consult, at various stages of any peacekeeping operation that includes peace-building elements and in particular when the operation is being established, with the State concerned and with relevant actors who are primarily responsible for coordinating and implementing aspects of peace-building activities, such as the General Assembly, the Economic and Social Council, the United Nations funds and programmes, the international financial institutions, regional organizations and major donor countries.

26. Institutionalization:

Incorporate provisions to this effect into the rules of procedure of the Security Council or, as appropriate, statements by the President of the Council.

N. Records and archives

27. Suggested improvements to the present practice:

(a) The Security Council should review its procedures and rules for the creation and maintenance of and access to the records and archives of its private and public meetings and informal consultations of the whole;

Suggested amendment to subparagraph (a)

Delete the words "and informal consultations of the whole".

(b) Procedures for promptly fulfilling requests for these records and archives by the accredited representatives of any member of the Security Council should be established;

Suggested amendments to subparagraph (b)

(1) Insert the word "non-members" in place of the words "any member".

(2) Insert the words "United Nations" in place of the words "Security Council".

(c) In its annual report to the General Assembly, the Security Council should certify that the maintenance of its records and archives meet the established international standards for the management of records and archives.

28. Institutionalization:

Incorporate provisions to this effect into the rules of procedure of the Security Council or, as appropriate, statements by the President of the Council.

III. Subsidiary organs of the Security Council

A. Sanctions committees

29. Suggested improvements to the present practice:

(a) Summary records of the meetings of the sanctions committees, which do not compromise the confidentiality of the work of the committees, should be made available promptly to non-members of the Security Council;

(b) The sanctions committees should ensure that the administrative procedure of processing applications for exemptions from sanctions regimes is as efficient as possible in order to avoid delays in clearing applications and thus to minimize unintended adverse side effects of sanctions;

(c) The countries specially affected by sanctions regimes, including target countries, should be given reasonable access to sanctions committees to explain their situations directly related to the implementation of sanctions;

Suggested amendment to subparagraph (c)

Delete the word "reasonable".

(d) The Security Council should take fully into account those sections in annex II to General Assembly resolution 51/242 of 15 September 1997, entitled "Questions of sanctions imposed by the United Nations", that are relevant to the procedures and working methods of the sanctions committees;

(e) The agenda of the meetings of the sanctions committees should be announced in the *Journal of the United Nations* in the same way as the agenda of the Security Council;

(f) Chairmen of sanctions committees should, as appropriate, after each meeting continue to give substantive and detailed briefings on their proceedings to non-members of the Council and, as appropriate, distribute documents which were considered in the course of such

meetings. Such briefings should continue to be announced in the *Journal of the United Nations*;

(g) Public information on the work of the sanctions committees should be made available on the Internet and through other means of communication.

30. Institutionalization:

Incorporate provisions to this effect into the rules of procedure of the Security Council or, as appropriate, statements by the President of the Council.

B. Other subsidiary organs

31. Suggested improvements to the present practice:

(a) Meetings of subsidiary organs of the Council established pursuant to Article 29 of the Charter should be more transparent and their proceedings, when appropriate, open to non-members of the Council. Such meetings should be announced in the *Journal of the United Nations*, and information about the proceedings, in particular those regarding decisions and recommendations, should be made available to non-members;

Suggested amendments to subparagraph (a)

(1) Delete the word "more" in the first sentence.

(2) In the first sentence, insert the words "and working groups of the Security Council" after the words "the Charter".

(3) Delete the entire subparagraph.

(b) Chairmen of other subsidiary organs of the Security Council should, as appropriate after each meeting, give substantive and detailed briefings on their proceedings to non-members of the Council and, as appropriate, distribute documents which were considered in the course of such meetings. Such briefings should be announced in the *Journal of the United Nations*.

Suggested amendment to subparagraph (b)

In the first line, delete the word "other".

Note: The question of a reference to Security Council working groups in this subparagraph may require further consideration.

32. Institutionalization:

Incorporate provisions to this effect into the rules of procedure of the Security Council or, as appropriate, statements by the President of the Council.

IV. Relationship between the Security Council and other principal organs of the United Nations

A. International Court of Justice

33. Suggested improvements to the present practice:

In accordance with relevant provisions of the Charter, the Security Council should consider requesting more often the International Court of Justice to give an advisory opinion on any legal question.*

Suggested amendments

(1) The words "on any legal question" should be replaced with the words "on any legal question relevant to the maintenance of international peace and security".

(2) Delete paragraph 33.

34. Institutionalization:

Incorporate provisions to this effect into the rules of procedure of the Security Council or, as appropriate, statements by the President of the Council.

B. Economic and Social Council

35. Suggested improvements to the present practice:

In accordance with Article 65 of the Charter, the Security Council should consider requesting the Economic and Social Council to furnish it with information on matters relevant to the work of the Security Council.

36. Institutionalization:

Incorporate provisions to this effect into the rules of procedure of the Security Council or, as appropriate, statements by the President of the Council.

V. Relationship between the Security Council and regional arrangements and agencies

37. Suggested improvements to the present practice:

(a) Efforts to enhance peacekeeping capacities of regional arrangements or agencies should not relieve the Security Council of its obligations under the Charter of the United Nations, which confers on it the primary responsibility for the maintenance of international peace and security;**

* See *Official Records of the General Assembly, Fifty-first Session, Supplement No. 47* (A/51/47), annex V, "Negotiating paper submitted by the Movement of Non-Aligned Countries", for an earlier formulation.

** Placement of this subparagraph to be decided later.

(b) **In its relations with regional arrangements and agencies, the Security Council should take fully into account the relevant provisions of General Assembly resolution 49/57 of 9 December 1994 and annex I to General Assembly resolution 51/242 of 15 September 1997, entitled "Coordination", bearing in mind the primary responsibility of the Security Council for the maintenance of international peace and security;**

(c) Regional arrangements and agencies should be consulted on matters affecting the maintenance of international peace and security in accordance with Chapter VIII of the Charter and the relevant mandates of regional arrangements and agencies concerned;

Suggested amendments to subparagraph (c)

(1) Insert the words "Close consultation should be maintained between the Security Council and regional arrangements and agencies" in place of the words "Regional arrangements and agencies should be consulted".

(2) Insert the words "Consultation should be strengthened between the Security Council and regional arrangements and agencies" in place of the words "Regional arrangements and agencies should be consulted".

(3) Revise the subparagraph to read: "The Security Council, in accordance with the provisions of Chapter VIII of the Charter, should enhance its cooperation and consultations on matters affecting the maintenance of international peace and security, with the relevant regional arrangements and agencies."

(4) Delete the entire subparagraph.

(d) Recognizing the important role of regional organizations and arrangements in preventive diplomacy, conflict resolution and peacekeeping activities, the Security Council should consult such organizations and arrangements more frequently. The representative of a regional organization or arrangement should indicate in writing to the President of the Security Council his or her desire to participate in a meeting. The President of the Security Council should respond in accordance with rule 39 of the provisional rules of procedure.

Suggested amendment to subparagraph (d)

Revise the subparagraph to reflect that regional organizations and arrangements should have the possibility to request that the Security Council hold meetings on certain issues.

38. Institutionalization:

Incorporate provisions to this effect into the rules of procedure of the Security Council or, as appropriate, statements by the President of the Council.

VI. Rules of procedure and institutionalization of the measures taken by the Security Council to enhance its working methods and transparency

39. Suggested improvements to the present practice:

The Security Council should finalize its provisional rules of procedure. Towards this end, the following steps should be taken by the Council:

(i) The arrangements regarding various measures that the Council has already adopted to enhance its methods and transparency, as well as the new measures discussed above, should be institutionalized as proposed by this Working Group in sections II to V of the present report;

(ii) After institutionalization of the measures described in subparagraph (i) above, there should be an overall review of the provisional rules of procedure, after which the word "provisional" should be deleted.

Suggested amendment to paragraph 39

Delete paragraph 39.

References

Descriptive index to notes and statements by the President of the Security Council relating to documentation and procedure (June 1993 to August 2002)*

1. Agenda

S/26015 of 30 June 1993 Note by the President of the Security Council	Inclusion in the *Journal* of provisional agenda for public meetings of the Council.
S/26812 of 29 November 1993 Note by the President of the Security Council	Use of descriptive formulations of agenda items to avoid having a number of separate items on the same subject.
S/2002/316 of 26 March 2002 Note by the President of the Security Council	Introduction of agenda items in public meetings by specifying the agenda item/issue for consideration.

2. Annual report

S/26015 of 30 June 1993 Note by the President of the Security Council	Changes to the format of the report, its distribution and adoption at a public meeting. Amended by S/2002/199.
S/1995/234 of 29 March 1995 Note by the President of the Security Council	Introduction to contain more information on each sanctions Committee. Superseded by S/2002/199.
S/PRST/1996/13 of 28 March 1996 Statement by the President of the Security Council	Report to contain information on meetings with troop-contributing countries chaired by the Presidency. Amended by S/2002/199.
S/1997/451 of 12 June 1997 Note by the President of the Security Council	Changes to the format and additions to the report. Superseded by S/2002/199.
S/1998/1016 of 30 October 1998 Note by the President of the Security Council	Report to contain annual reports of sanctions Committees. Superseded by S/2002/199.
S/2002/199 of 26 February 2002, reissued on 22 May 2002 Note by the President of the Security Council	Change of period covered by the report; revision of format; presentation of the report to the General Assembly by the President of the Council.

* Contained as an annex to the letter dated 6 September 2002 from the President of the Security Council addressed to the Secretary-General published as document A/57/382-S/2002/1000.

3. Briefings

S/1999/1291 of 30 December 1999 Note by the President of the Security Council	Briefings by the Secretariat in Council meetings. Content and modalities of briefings by the President to non-members of the Council after informal consultations.
S/2002/316 of 26 March 2002 Note by the President of the Security Council	Inclusion and circulation of printed fact sheets for briefings by the Secretariat to Council members.

4. Documentation

S/26015 of 30 June 1993 Note by the President of the Security Council	Procedure for citation of documents referred to in draft resolutions or presidential statements, including prefixes.
S/26389 of 31 August 1993 Note by the President of the Security Council	Issuance of Council documents.
S/1999/1291 of 30 December 1999 Note by the President of the Security Council	Timely circulation of briefing notes on field operations to non-members of the Council.
S/2001/640 of 29 June 2001 Note by the President of the Security Council	Communication and dissemination by the President and Secretariat of Council decisions and statements to the press. Issuance of statements to the press made by the President as United Nations press releases.
S/2002/316 of 26 March 2002 Note by the President of the Security Council	Publication and distribution dates of reports of the Secretary-General.

5. Informal consultations

S/1994/230 of 28 February 1994 Note by the President of the Security Council	Circulation in informal consultations of the Secretary-General's statements to the press on matters of concern to the Council.
S/PRST/1994/62 of 4 November 1994 Statement by the President of the Security Council	President to summarize views expressed at meetings with troop-contributing countries.
S/2000/155 of 28 February 2000 Note by the President of the Security Council	Attendance by newly elected members during the month preceding their term.

6. Meetings

(a) Distribution of statements

S/1994/329 of 23 March 1994 Note by the President of the Security Council	Arrangements for the distribution of statements outside the Council Chamber. Superseded by S/2000/274.
S/2000/274 of 31 March 2000 Note by the President of the Security Council	Arrangements for the distribution of statements in the Council Chamber.

(b) Format

S/1999/1291 of 30 December 1999 Note by the President of the Security Council	Non-exhaustive range of public and private meeting options.

(c) Notification

S/1998/1016 of 30 October 1998 Note by the President of the Security Council	Secretariat to establish a mechanism to alert non-members of the Council of unscheduled or emergency meetings.

(d) Public meetings

S/PRST/1994/81 of 16 December 1994 Statement by the President of the Security Council	Increased recourse to public meetings, in particular at an early stage in the Council's consideration of a subject.
S/1998/1016 of 30 October 1998 Note by the President of the Security Council	Statements by the Secretary-General in public meetings.
S/1999/1291 of 30 December 1999 Note by the President of the Security Council	Identification of additional matters for consideration at public meetings, including situations involving specific countries.
S/2002/316 of 26 March 2002 Note by the President of the Security Council	Addressing speakers by name and title in public meetings.

7. Programme of work

S/26176 of 27 July 1993 Note by the President of the Security Council	Circulation of tentative forecast of programme of work to Member States.
S/1998/354 of 30 April 1998 Note by the President of the Security Council	Availability of provisional schedule of work to Member States.

8. Resolutions and presidential statements

S/26015 of 30 June 1993 Note by the President of the Security Council	Approval of presidential statements to include agreed formulation of subject matter under which it is authorized.
S/1994/230 of 28 February 1994 Note by the President of the Security Council	Draft resolutions in provisional form to be made available to non-members of the Council at the time of consultations of the whole or the following day.
S/1999/165 of 17 February 1999 Note by the President of the Security Council	Full participation of all Council members and sufficient time to be allowed in the preparation of resolutions and presidential statements; contributions by groups of friends and similar arrangements welcomed.
S/1999/1291 of 30 December 1999 Note by the President of the Security Council	Draft resolutions and draft presidential statements to be made available to non-members of the Council as soon as they are introduced in informal consultations of the whole.
S/2001/640 of 29 June 2001 Note by the President of the Security Council	Communication and dissemination by the Secretariat of Council decisions and statements to the press and to all those concerned.

9. Sanctions committees

S/1995/234 of 29 March 1995 Note by the President of the Security Council	List of improvements to make the procedures of sanctions committees more transparent.
S/1995/438 of 31 May 1995 Note by the President of the Security Council	Continuation of practice of hearing comments by Member States and organizations concerned during closed meetings of sanctions committees.
S/1996/54 of 24 January 1996 Note by the President of the Security Council	Oral briefings by the Chairman of each sanctions Committee to interested Member States after each meeting.
S/1998/1016 of 30 October 1998 Note by the President of the Security Council	Arrangements regarding the appointment of the bureaux of sanctions committees.
S/1999/92 of 29 January 1999 Note by the President of the Security Council	List of practical measures to improve the work of sanctions committees.

S/2000/319 of 17 April 2000 Note by the President of the Security Council	Establishment of an informal working group of the Council to develop general recommendations on how to improve the effectiveness of United Nations sanctions, including the working methods of sanctions committees and inter-committee coordination.
S/2002/70 of 15 January 2002 Note by the President of the Security Council	Appointment of new Chairman of the working group; reiterates task of working group to develop general recommendations on how to improve the effectiveness of United Nations sanctions.

10. Matters of which the Council is seized

S/1996/603 of 30 July 1996, reissued on 22 August 1996 Note by the President of the Security Council	As from 15 September 1996, matters which have not been considered in the preceding five years will be automatically deleted from the list unless a Member State notifies its objection to deletion before that date.
S/1996/704 of 29 August 1996 Note by the President of the Security Council	Modifies S/1996/603 so that no item will be deleted from the list without the prior consent of the Member States concerned in accordance with the procedure set out.

11. Troop-contributing countries*

S/PRST/1994/22 of 3 May 1994 Statement by the President of the Security Council	Consideration of the recommendations in the Secretary-General's report entitled "Improving the capacity of the United Nations for peacekeeping" (S/26450 and Add.1 and 2), including factors to be taken into account when considering new peacekeeping operations, and increased communications between the Council and troop-contributing countries.
S/PRST/1994/62 of 4 November 1994 Statement by the President of the Security Council	Procedures for meetings between troop-contributing countries, Council members and the Secretariat. Inclusion of expected schedule of meetings with troop-contributing countries in the Council's monthly tentative forecast of work and time and venue of those meetings in the *Journal*. Superseded by S/PRST/1996/13.

* The documents in this section must be read in the light of resolution 1353 (2001), annex II, which makes provision for the format, procedures and documentation of meetings with troop-contributing countries.

S/PRST/1996/13 of 28 March 1996 Statement by the President of the Security Council	Enhanced procedures for meetings between troop-contributing countries, Council members and the Secretariat. Retains inclusion of meetings with troop-contributing countries in the monthly tentative forecast of work and the *Journal* and in the annual report.
S/1998/1016 of 30 October 1998 Note by the President of the Security Council	Circulation of statements by troop-contributing countries and the Secretariat's briefing notes at meetings with troop-contributing countries as well as weekly briefing notes on field operations to troop-contributing countries. Invitation to relevant United Nations bodies and agencies and other Member States to meetings with troop-contributing countries as appropriate.
S/PRST/2001/3 of 31 January 2001 Statement by the President of the Security Council	Implementation of resolution 1327 (2000), S/PRST/1996/13 and S/PRST/1994/22. Establishment of a Working Group of the Whole on United Nations Peacekeeping Operations, to address both generic peacekeeping issues relevant to the responsibilities of the Council and technical aspects of individual peacekeeping operations.
S/2002/56 of 14 January 2002 Note by the President of the Security Council	Joint meetings of the Security Council Working Group on Peacekeeping Operations and troop-contributing countries as an additional mechanism for strengthening cooperation with troop-contributing countries on specific peacekeeping operations.
S/2002/964 of 27 August 2002 Note by the President of the Security Council	Criteria for participation in private meetings of the Council and consultation meetings with troop-contributing countries under resolution 1353 (2001), annex II, sections A and B.

Relevant notes and statements by the President of the Security Council issued since September 2002

Note by the President of the Security Council dated 22 November 2002 (S/2002/1276)

Following informal consultations of the whole on 19 November 2002, the members of the Security Council agreed that the newly elected members of the Council will be invited to attend the informal consultations of the whole and the formal meetings of the subsidiary bodies of the Council for the period of one month immediately preceding their term of membership (that is, with effect from 1 December). Delegations should respect the confidentiality of those discussions.

The members of the Security Council also agreed that, if an incoming member will be assuming the Presidency of the Council in the first two months of its term on the Council, it will be invited to attend the informal consultations of the whole for the period of two months immediately preceding its term of membership (that is, with effect from 1 November).

The members of the Security Council further agreed that each of those incoming member delegations should be represented at the level of Permanent Representative or Deputy Permanent Representative at informal consultations of the whole and by any one member of their delegations at formal meetings of the subsidiary bodies of the Council. For that purpose, one seat will be assigned to each delegation at the side of the room.

The Chairmen of the subsidiary bodies of the Security Council should not otherwise deviate from Council practice with regard to attendance by incoming members without guidance from the Council.

The present note supersedes the note by the President of the Security Council of 28 February 2000 (S/2000/155).

Other relevant references

S/2002/603* Note by the President of the Security Council dated 6 June 2002 containing as an annex the report entitled "Procedural developments in the Security Council — 2001"

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